Marion County
Planning & Zoning Commission
Meeting Agenda

Monday, July 28, 2025 **5:30 PM** **McPherson Governmental Campus Auditorium**

Hearing Assistance Devices are available for use during the Public Hearing. Please ask any staff member to assist you.

Pledge of Allegiance and Invocation

Call to Order

Acknowledgement of Proof of Publication and Mailing and Posting of Notice

Proof of Publication

Explanation of Procedure for Hearing Requests

1. Consider the Following Requests on Consent

1.1. 250801SU - Pastor Rocky Shrable, on Behalf of the Applicant Wings of Faith Fellowship, Special Use Permit to Allow for the Operation of a One Hundred and Twenty Student (120) K-5 Private School and Learning Center on the Church Campus, in a Single-Family Dwelling (R-1) Zone, 4.10 Acres, Parcel Account Number 9021-0000-03, Site Address 5066 SE 64th Avenue Road, Ocala, FL 34472

1.2. 250802SU - Partners Self Storage, LLC, Special Use Permit to Allow for Outdoor Storage of RVs, Boats, and Trailers, in a Community Business (B-2) Zone, 11.0 Acre Tract, Parcel Account Numbers 39169-000-00 & 39169-003-00, Site Address 7655 E Highway 25, Belleview, FL 34420

1.3. 250803SU - Vikings, LLC, Special Use Permit to Allow for the Ongoing Use of the Temporary Golf Pro-Shop Facility, in a Planned Unit Development (PUD) Zone, 1.77 Acre Tract, Parcel Account Numbers 34546-122-00 and 34546-123-00, Site Address 6933 SW 179th Avenue Road, Dunnellon, FL 34432

1.4. 250804SU - Clifford Mynes and Suzi X, Special Use Permit to Allow for a Private Family Burial of Two (2) Plots, in a General Agriculture (A-1) Zone, 10.98 Acres, Parcel Account Number 39636-001-05, Site Address 9030 SE 170th Avenue Road, Ocklawaha, FL 32179

1.5. 250806ZC - Brandon and Ashley Winter, Zoning Change from Single-Family Dwelling (R-1) Portion of the Property to Mixed Residential (R-4), ±0.65 Acre Portion of a ±0.93 Acre Parcel, Parcel Account Number 4988-001-001, No Address Assigned

1.6. 25-S10 - Oak Run Associates, LTD., Small-Scale Land Use Change from High Residential (HR) to Commercial (COM), ±9.13 Acres, Parcel Account Number 7000-000-000, Site Addresses 11437, 11517, 11621, 11637, and 11641 SW 90th Terrace, Ocala, FL 34481, Oak Run Development of Regional Impact, Adjoining Oak Run Neighborhood 8-B Subdivision

1.7. 25-S11 - Jennifer Ellenburg, Small Scale Land Use Change from High Residential (HR) to Medium Residential (MR), 3.85 Acres, Parcel Account Number 9024-0000-01, No Address Assigned

2. Consider the Following Individual Requests

2.1. 250502SU - Jacquelyn Brady and Fish Hawk Spirits, LLC, Special Use Permit to Allow for the Operation of an Artisanal Micro-Distillery, in a General Agriculture (A-1) Zone, 2.13-Acre Tract, Parcel Account Numbers 2091-008-002 and 2091-008-003, Site Address 16350 SW 20th Lane, Ocala, FL 34481

2.2. 250805ZC - Joseph Petrolino, Zoning Change from Mixed Residential (R-4) to Manufactured Housing Park (P-MH), 2.51 Acres, Parcel Account Number 3582-253-000, Site Address (ALL UNITS) 5727 SE 27th Avenue, Ocala, FL 34480

3. Other Business

4. Review Minutes of Previous Meeting

4.1. June 30, 2025

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19924 **Agenda Date:** 7/28/2025 **Agenda No.:**

SUBJECT:
Proof of Publication

DESCRIPTION/BACKGROUND:
Proof of Publication for the July 28, 2025 Planning and Zoning Meeting.

LOCALiQ
The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune
PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Autumn Williams
Marion County Growth Services
2710 E Silver Springs BLVD
Ocala FL 34470-7006

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Star Banner, published in Marion County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of Marion County, Florida, or in a newspaper by print in the issues of, on:

07/14/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 07/14/2025

Legal Clerk

Notary, State of WI, County of Brown

3.7.27

My commission expires

Publication Cost:	$424.62		
Tax Amount:	$0.00		
Payment Cost:	$424.62		
Order No:	11477541	# of Copies:	
Customer No:	533584	1	
PO #:			

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING
BY MARION COUNTY
PLANNING AND ZONING
COMMISSION TO CONSIDER
REQUESTS FOR ZONING
CHANGES

NOTICE IS HEREBY GIVEN THAT THE MARION COUNTY PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING ON THE 28TH DAY OF JULY, 2025, AT 5:30 P.M. AT THE MCPHERSON GOVERNMENTAL CAMPUS AUDITORIUM, *601 SE 25TH AVENUE, OCALA, FLORIDA*, TO CONSIDER THE FOLLOWING COMPREHENSIVE PLAN AMENDMENT, REZONING AND/OR SPECIAL USE PERMIT APPLICATIONS. THE ACTION OF THE PLANNING AND ZONING COMMISSION IS SOLELY ADVISORY TO THE BOARD OF COUNTY COMMISSIONERS.

ALL INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD WITH RESPECT TO THE APPLICATIONS. COMPLETE DESCRIPTIONS OF THE APPLICATIONS MAY BE REVIEWED AT THE GROWTH SERVICES DEPARTMENT PLANNING AND ZONING DIVISION OFFICE, 2710 E. SILVER SPRINGS BLVD., OCALA, FLORIDA.

1. **250502SU** – Jacquelyn Brady and Fish Hawk Spirits, LLC, request a **Special Use Permit**, Articles 2 and 4, of the Marion County Land Development Code, to allow for the operation of an artisanal micro-distillery, in a General Agriculture (A-1) zone, on an approximate 2.13 Acre Tract, on Parcel Account Numbers 2091-008-003 and 2091-008-002, Site Address 16350 SW 20th Lane, Ocala, FL 34481

2. **250801SU** – Wings of Faith Fellowship, requests a **Special Use Permit**, Articles 2 and 4, of the Marion County Land Development Code, to allow for the operation of a K-5 private school and learning center, in a Single-Family Dwelling (R-1) zone, on an approximate 4.10 Acre Parcel, on Parcel Account Number 9021-0000-03, Site Address 5066 SE 64th Avenue Road, Ocala, FL 34472

3. **250802SU** – Partners Self Storage, LLC, requests a **Special Use Permit**, Articles 2 and 4, of the Marion County Land Development Code, to allow for outdoor storage of vehicles, in a Community Business (B-2) zone, on an approximate 11.0 Acre Tract, on Parcel Account Numbers 39169-000-00 and 39169-003-00, Site Address 7655 E Highway 25, Belleview, FL 34420

4. **250803SU** – Vikings, LLC, requests a **Special Use Permit**, Articles 2 and 4, of the Marion County Land Development Code, to allow for the renewal and extension for a temporary golf pro-shop facility (200601SU), in a Planned Unit Development (PUD) zone, on an approximate 1.77 Acre Tract, on Parcel Account Numbers 34546-122-00 and 34546-123-00, Site Address 6933 SW 179th Avenue Road, Dunnellon, FL 34432

5. **250804SU** – Clifford Mynes and Suzi X, request a **Special Use Permit**, Articles 2 and 4, of the Marion County Land Development Code, to allow for a private family burial of two (2) plots, in a General Agriculture (A-1) zone, on an approximate 10.98 Acre Parcel, on Parcel Account Number 39636-001-05, Site Address 9030 SE 170th Avenue Road, Ocklawaha, FL 32179

6. **250805ZC** – Joseph Petrolino, requests a **Zoning Change**, Articles 2 and 4, of the Marion County Land Development Code, from Mixed Residential (R-4) to Manufactured Housing Park (P-MH), for all permitted uses, on an approximate 2.51 Acre Parcel, on Parcel Account Number 3582-253-000, Site Address (ALL UNITS) 5727 SE 27th Avenue, Ocala, FL 34480

7. **250806ZC** – Brandon and Ashley Winter, request a **Zoning Change**, Articles 2 and 4, of the Marion County Land Development Code, from Single-Family Dwelling (R-1) portion of the property to Mixed Residential (R-4), for all permitted uses, on an approximate ±0.65 Acre Portion of a 0.93 Acre Parcel, on Parcel Account Number 4988-001-001, No Address Assigned

8. **25-S10** – Oak Run Associates, Ltd., requests a **Land Use Change**, Articles 2 and 3, of the Marion County Land Development Code, from High Residential (HR) to Commercial (COM), on an approximate 9.13 Acre Parcel, on Parcel Account Number 7000-000-000, Site Addresses 11437, 11517, 11621, 11637, and 11641 SW 90th Terrace, Ocala, FL 34481

9. **25-S11** – Jennifer Ellenburg, requests a **Land Use Change**, Articles 2 and 3, of the Marion County Land Development Code, from High

Residential (HR) to Medium Residential (MR), on an approximate 3.85 Acre Parcel, on Parcel Account Number 9024-0000-01, No Address Assigned

IF REASONABLE ACCOMMODATIONS OF A DISABILITY ARE NEEDED FOR YOU TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE ADA COORDINATOR/HR DIRECTOR AT (352) 438-2345 AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE HEARING, SO APPROPRIATE ARRANGEMENTS CAN BE MADE.

BE ADVISED THAT IF ANY PERSON OR PERSONS WISH TO APPEAL A DECISION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, BASED ON RECOMMENDATIONS MADE BY THE MARION COUNTY PLANNING AND ZONING COMMISSION AT THE ABOVE ADVERTISED MEETING, A RECORD OF THE PROCEEDINGS WILL BE NEEDED BY SUCH PERSON OR PERSONS AND A VERBATIM RECORD MAY BE NEEDED.

FOR MORE INFORMATION:
HTTPS://WWW.MARIONFL.ORG/LEGALNOTICES

PLEASE BE GOVERNED ACCORDINGLY.

DATED THIS 8TH DAY OF JULY, 2025.

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

D. WINDBERG, DEPUTY CLERK

#11477541

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19927 **Agenda Date:** 7/28/2025 **Agenda No.:** 1.1.

SUBJECT:
250801SU - Pastor Rocky Shrable, on Behalf of the Applicant Wings of Faith Fellowship, Special Use Permit to Allow for the Operation of a One Hundred and Twenty Student (120) K-5 Private School and Learning Center on the Church Campus, in a Single-Family Dwelling (R-1) Zone, 4.10 Acres, Parcel Account Number 9021-0000-03, Site Address 5066 SE 64th Avenue Road, Ocala, FL 34472

DESCRIPTION/BACKGROUND:
Pastor Rocky Shrable, on behalf of the Wings of Faith Church, has filed for a Special Use Permit to establish a K-5 private school on the Church campus. Special Use Permits are already active at this site under 110605S, to offer daycare services for up to seventy children in June 2011, and they also operate a food pantry under 130603SU since July of 2013. Both operations have been in operation without any reported incident.

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

P&ZC Date: 7/28/2025	**BCC Date: 8/19/2025**
Case Number:	250801SU
CDP-AR:	32753
Type of Case:	**Special Use Permit:** Operating a K-5 school with a maximum of 120 students.
Owner	Wings of Faith Church
Applicant	Pastor Rocky Shrable
Street Address	5066 SE 64th Avenue Road
Parcel Number	9021-0000-03
Property Size	4.10 Acres
Future Land Use	High Residential (HR)
Zoning Classification	Singel Family Dwelling (R-1)
Overlay Zone/Scenic Area	Primary Springs Protection Zone
Staff Recommendation	**APPROVAL WITH CONDITIONS**
P&ZC Recommendation	**TBD**
Project Planner	Kenneth Odom
Related Case(s)	110605SU – 2011 (Day Care Facility) 130603SU – 2013 (Food Pantry)

I. ITEM SUMMARY

Pastor Rocky Shrable, on behalf of the applicant Wings of Faith Church, has filed for a Special Use Permit (SUP) to allow for the foundation of a one hundred and twenty student (120) K–5 private educational facility on the church campus. Wings of Faith was approved, through Special Use Permit 110605SU (SUP), to offer daycare services for up to seventy children in June 2011, and they also operate a food pantry under SUP 130603SU since July of 2013. Both operations have been in operation without any reported incident. The only situation known to arise was with the food pantry lines, on occasion disrupting traffic with some queues extending onto the surrounding roadways. However, the applicant was able to rectify this situation, on their own, by coordinating all vehicle stacking onsite in order to alleviate any impacts to the surrounding neighborhood roadways. Figure 1 is an aerial photograph showing the general location of the subject property. The Parcel Identification Number associated with the property is 9021-0000-03, and the street address is 5066 SE 64th Avenue Road, Ocala, FL 34472. The property is located within Primary Springs Protection Zone. The legal description is included as Attachment A. Staff is recommending **APPROVAL**

Figure 1
Aerial Photograph of Subject Property

II. STAFF SUMMARY RECOMMENDATION

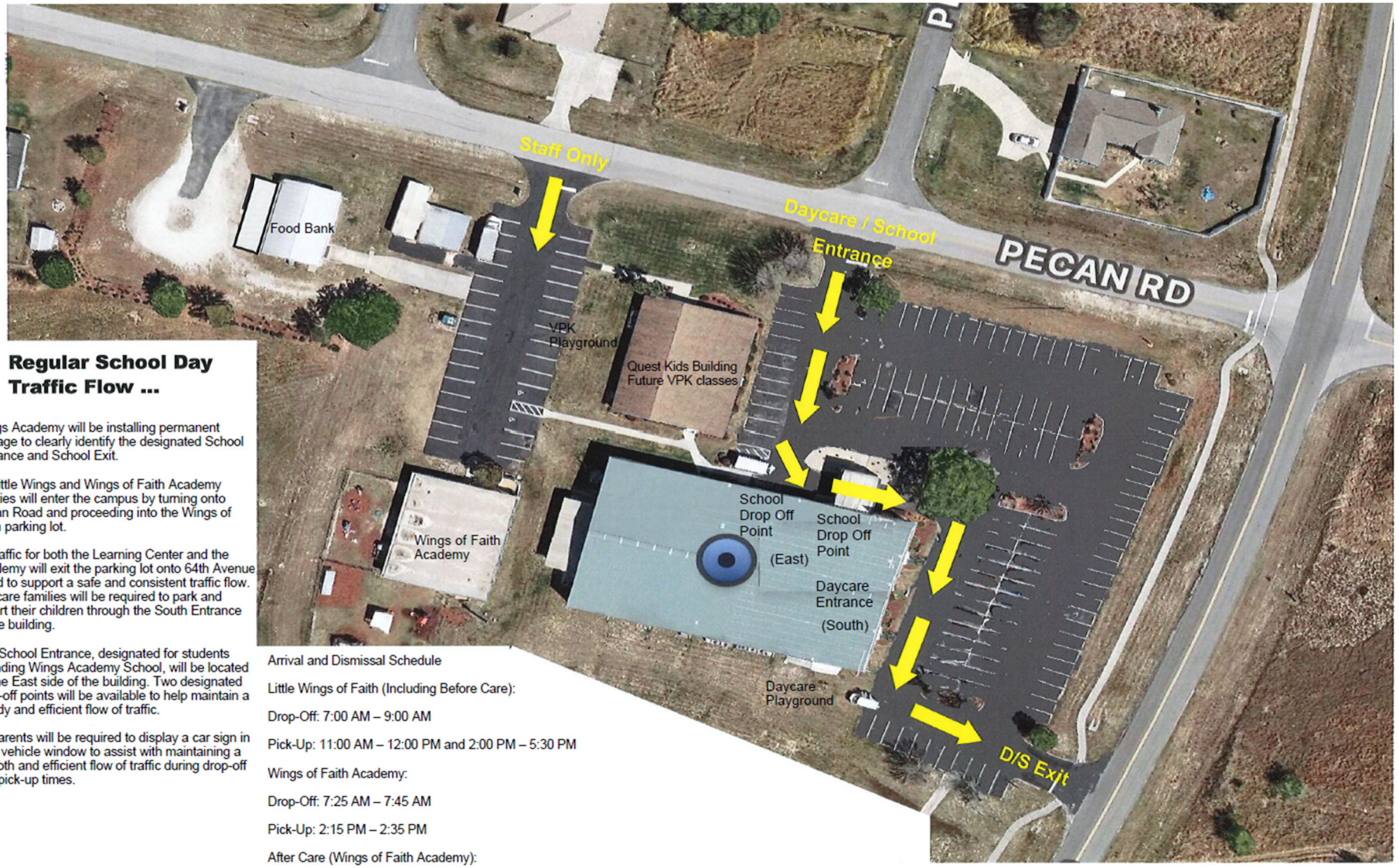
Staff recommends **APPROVAL** due to the analysis provided within this staff report. If approved, staff recommends the conditions specified in Section VII.B. of this Staff Report. The recommended conditions are being imposed to address compliance with the requirements in Land Development Code (LDC) Sections 2.8.2.D and 2.8.3.B, and 4.2.6(f).

III. NOTICE OF PUBLIC HEARING

Consistent with LDC Section 2.7.3.C, notice of public hearing was mailed to all property owners (96 property owners) within 300 feet of the subject property on July 11th, 2025. Consistent with LDC Section 2.7.3.B, public notice was posted on the subject property on July 17th, 2025, where site photos were also collected (Attachment B), and consistent with LDC Section 2.7.3.E due public notice was published in the Ocala Star-Banner on July 14th, 2025. As of the date of the initial distribution of this staff report, no letters of opposition have been received. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference.

IV. BACKGROUND/CHARACTER OF THE AREA

A. *Existing site conditions*. Figure 3 shows that the property is currently listed as Single-Family Dwelling (R-1) by the Marion County Property Appraiser's Office. The site is part of the Silver Springs DRI, specifically Unit 21.



Regular School Day Traffic Flow ...

Wings Academy will be installing permanent signage to clearly identify the designated School Entrance and School Exit.

All Little Wings and Wings of Faith Academy families will enter the campus by turning onto Pecan Road and proceeding into the Wings of Faith parking lot.

All traffic for both the Learning Center and the Academy will exit the parking lot onto 64th Avenue Road to support a safe and consistent traffic flow. Daycare families will be required to park and escort their children through the South Entrance of the building.

The School Entrance, designated for students attending Wings Academy School, will be located on the East side of the building. Two designated drop-off points will be available to help maintain a steady and efficient flow of traffic.

All parents will be required to display a car sign in their vehicle window to assist with maintaining a smooth and efficient flow of traffic during drop-off and pick-up times.

Arrival and Dismissal Schedule

Little Wings of Faith (Including Before Care):

Drop-Off: 7:00 AM – 9:00 AM

Pick-Up: 11:00 AM – 12:00 PM and 2:00 PM – 5:30 PM

Wings of Faith Academy:

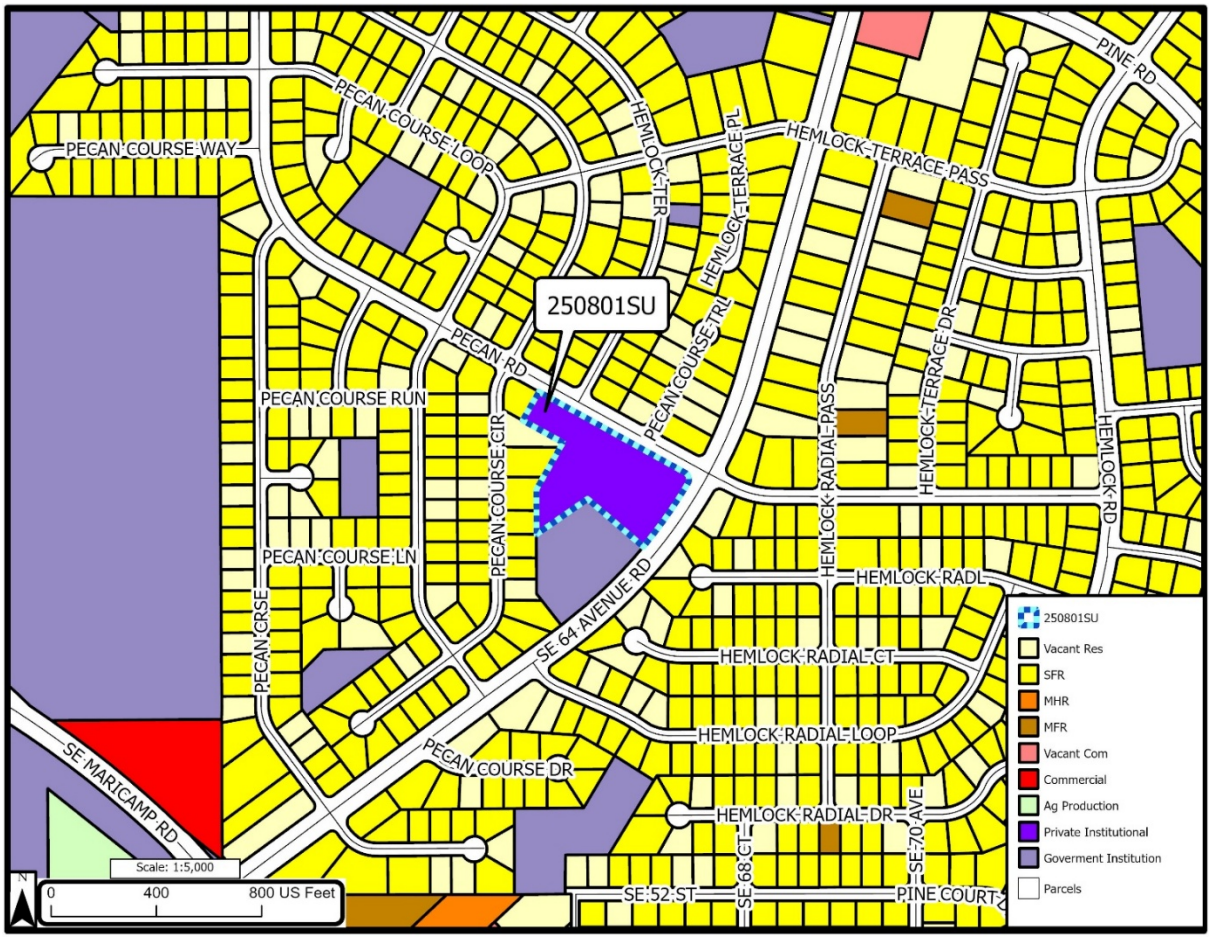
Drop-Off: 7:25 AM – 7:45 AM

Pick-Up: 2:15 PM – 2:35 PM

After Care (Wings of Faith Academy):

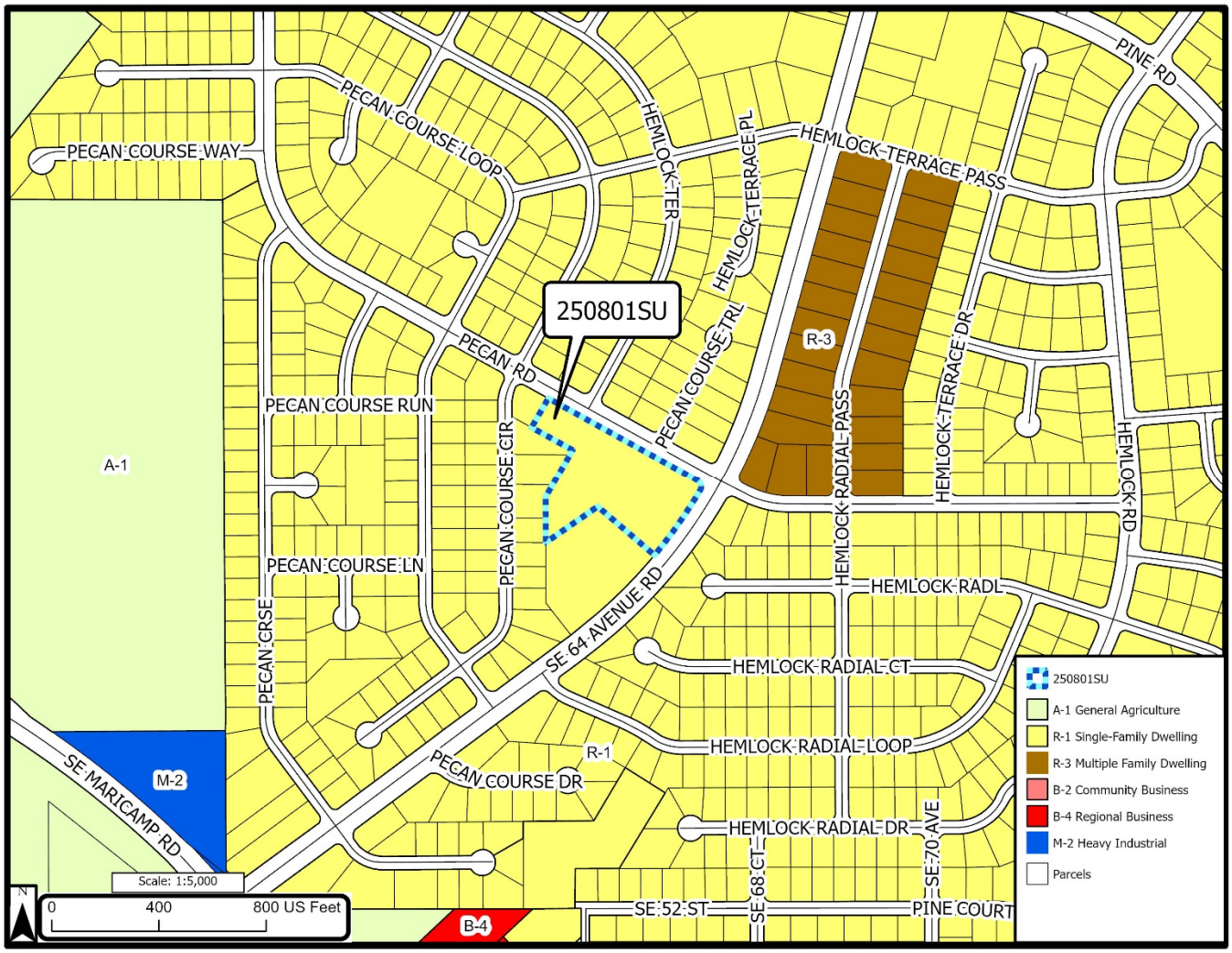
Pick-Up: 3:00 PM – 5:30 PM

Figure 2
Existing Conditions Map



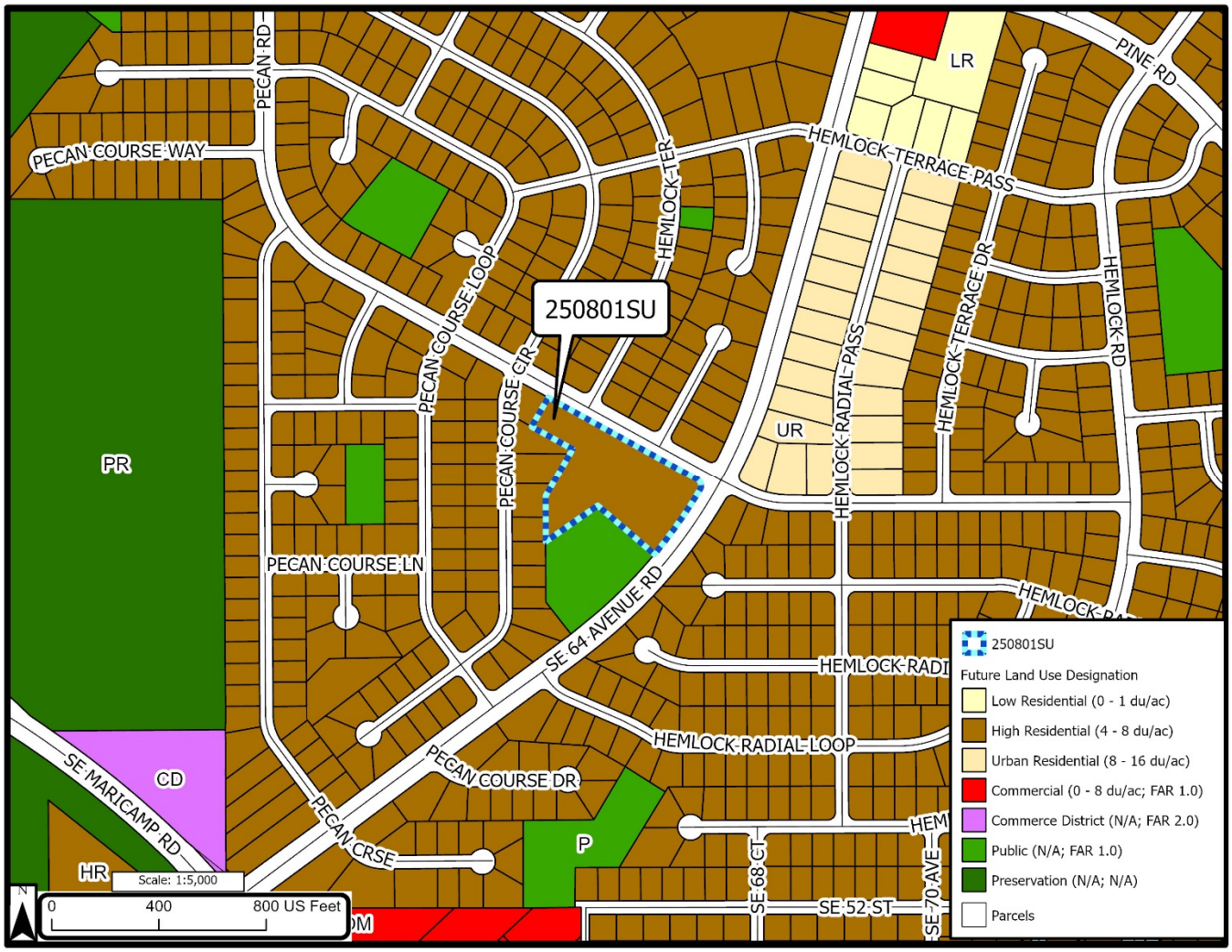
B. *Zoning district map*. Figure 3 shows the subject property is classified as Single-Family Dwelling (R-1). The Single-Family Dwelling Classification is intended to provide areas for medium-density residential development. The majority of all surrounding parcels are also (R-1) with some Multiple Family Dwelling (R-3); however, all of the (R-3) assigned properties are improved as Single-Family Dwelling.

Figure 3
Zoning Classification



C. *FLUMS designation*. Figure 4 is the FLUMS, which shows the subject property is designated High Residential (HR). This land use designation is intended to recognize areas suited for a mixture of single-family and multi-family residential units in existing and new development that is located within the Urban Growth Area (UGB). The density range shall be four (4) dwelling units to eight (8) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.

Figure 4
FLUMS Designations



V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that the SUP addresses nine (9) specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements is addressed below.

A. *Provision for **ingress and egress** to property and proposed structures thereon with reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe*.

Analysis: Access to the Academy will be from Pecan Road. There is an existing driveway and parking lot next to the modular building that will contain the school.

B. *Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area*.

Analysis: All parking will be contained on site. There are currently thirty-six (36) existing paved spaces on the rear of the property. Additional overflow in the Sanctuary parking lot is comprised of one hundred thirty parking spaces. The applicant has agreed to provide a traffic control plan that will allow for all queuing to be contained on site. Daycare, VPK, and school arrival and departure times will have staggered pick-up/drop-off times in order to ensure efficient operations are contained on-site.

C. *Provisions for **refuse and service area**, with particular reference to the items in (1) and (2) above*.

Analysis: Established dumpster locations exist on the site currently. Commercial pick up of refuse occurs weekly.

D. *Provision for **utilities**, with reference to locations, availability, and compatibility*.

Analysis: Septic and well services exist on the site currently. The requested special use permit will not require hookup to municipal water or sanitary sewer services.

E. *Provision for **screening and buffering** of dissimilar uses and of adjacent properties where necessary*.

Analysis: To buffer the three single-family residences on the west side of the Wings of Faith Campus (9021-0413-08, 9021-0413-09, and 9021-0413-11), the applicant shall install a six-foot vinyl opaque fence with a solid hedgerow on the interior of the existing fence line. The buffer shall be installed prior to the beginning of operations of the school.

F. *Provision for **signs**, if any, **and exterior lighting** with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area*.

Analysis: Any additional signage to be included as part of the establishment of the school will adhere to Marion County Land Development Code.

G. *Provision for **required yards and other green space***.

Analysis: Fenced playground areas exist at two locations on the property currently. Now, new, additional, improved space will be required to accommodate the proposed use.

H. *Provision for general **compatibility** with adjacent properties and other properties in the surrounding area*.

Analysis: The daycare activities (up to seventy (70) children), first approved in November of 2011 under SUP 110605SU and food pantry activities, first approved in July 2013 under SUP 130603SU, have adhered to all required conditions, produced no negative impacts of notes and have incurred no code enforcement violations. The additional activities proposed with a K-5 school will have a larger impact than the other two activities combined, but that impact is projected to be minimal, and the applicant has shown that they are capable of operating efficiently within the SUP process.

I. *Provision for meeting any **special requirements** required by the site analysis for the particular use involved*.

Analysis: Staff notes that, unlike a variance, which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. Staff has recommended a condition that will void the SUP if the property changes hands. To ensure that the SUP stays in compliance and has a system of periodic reviews, Staff recommends a list of conditions provided at the end of this report to mitigate the possibility of any negative impacts from this special use. Notwithstanding, staff imposes the following condition:

J. *Consistency with the Comprehensive Plan*.

1. Policy 2.1.5: **Permitted & Special Uses** – The county shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.

   Analysis: Article 4: ZONING / Division 3.: - SPECIAL REQUIREMENTS / Sec. 4.3.8. - Nursery schools, day schools and kindergartens. Nursery schools, day schools, child day care centers, and kindergartens shall comply with the following requirements.

   A. Total tract area shall not be less than 15,000 square feet, and tract width shall not be less than 100 feet.

   B. A fenced play area must meet State Regulations.

   C. No portion of the fenced play area shall be closer than 20 feet to any residential tract line.

   D. A noise buffer such as a solid masonry wall or vegetative screening shall be required between fenced play areas and residential tract lines.

   E. All outdoor play activities shall be conducted within the fenced play area, and no outdoor play activity shall be conducted before 8:00 a.m. or after 8:00 p.m.

A buffer wall and shrubbery hedgerow shall be installed between the existing homes on the west side of the church and the new student recreation area. This new recreation will be at least thirty feet away from the border of any adjoining property.

Based on the above findings, Staff concludes the SUP is **consistent** with LDC Sections 2.8.2.D and 2.8.3.B provided conditions to address the eight (8) requirements are imposed.

VI. ALTERNATIVE RECOMMENDATIONS

A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to **DENY** the special use permit amendment.

B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions, and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.

C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to the Board of County Commissioners to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION 595-27-8632

A. Staff recommends the Planning and Zoning Commission enter into the record the Staff Report and all other competent substantial evidence presented at the hearing and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVAL WITH CONDITIONS** the special use permit.

B. To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are imposed:

1. The Special Use Permit shall run with the (Wings of Faith Church). Should the property be sold, the Special Use Permit shall be terminated.
2. A buffer shall be installed on the west side of the Wings of Faith Campus adjacent to the three single-family residential dwellings (9021-0413-08, 9021-0413-09, and 9021-0413-11). The buffer shall consist of a six-foot vinyl opaque fence on the exterior with a single line hedgerow (to reach six feet within three years) on the interior of the opaque fence.
3. The private school facilities shall be limited to a maximum of forty (40) students in the first year encompassing Kindergarten and 1st Grade. Each successive year shall allow

the addition of one grade and twenty students, up to 5th Grade and a total of one hundred and twenty (120) students total. This capacity is only assigned to K-5 students. It does not include VPK or daycare students. Only existing structures on site currently shall be utilized for the private school. Any increase in the number of students or buildings will require obtaining a new/revised Special Use Permit.

4. A traffic study will be required to be submitted and approved prior to commencement of K-5 operations.
5. This Special Use Permit does not grant extension to daycare operations under SUP 110605SU or food pantry activities under SUP 130603SU.
6. A traffic control plan shall be submitted to Marion County Engineering and Growth Services and approved prior to K-5 operations commencing. This plan will specifically detail the requirement of maintaining all queuing vehicles for daycare, food pantry, and K-5 operations on-site without overflow onto the local roadways.
7. The Special Use Permit shall expire August 18, 2030; 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:
    - There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit.
    - 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
    - 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).

VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

TBD

IX. BOARD OF COUNTY COMMISSIONERS' ACTION

TBD

X. LIST OF ATTACHMENTS

A. SUP application filed on April 15, 2025.
B. Site Photos
C. DRC Comments
D. Site Plan

Marion County
Board of County Commissioners

Growth Services ◆ Planning & Zoning

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

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: Operating as a K-5 Private School and Learning Center. We will use the modular building for compliance with fire inspection and DOE for the Private School/Academy. We will also continue using the church building for the learning center. (refer to change of use 2023-07-2846).

Legal Description: (Please attach a copy of the deed and location map.) **Parcel Zoning:** R-1

Parcel account number(s): 9021-0000-03

Property dimensions: _____ **Total acreage:** 4.10

Directions: North on SE 64th Ave Rd from Maricamp. 5066 is on the left, on the corner of 64th Ave Rd and Pecan Rd.

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.*

Rocky D. Shrable	Rocky D. Shrable
Property Owner name (please print)	**Applicant or agent name (please print)**
5066 Se 64th Ave Rd	5066 Se 64th Ave Rd **Mailing**
Address	**Mailing Address**
Ocala, Fl 34472	Ocala, Fl 34472 **City,**
State, Zip code	**City, State, Zip code**
352-687-4600	352-687-4600 **Phone**
number (include area code)	**Phone number (include area code)**
rocky.shrable@wingsoffaith.com	rocky.shrable@wingsoffaith.com
E-mail address	**E-mail address**
Rocky Shrable	Rocky Shrable
Signature	***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.: 1999 008079	*Code Case No.:* —		*Application No.:* 32753	
Rcvd by: EM	*Rcvd Date:* 4/15/25	*FLUM:* HR	*Zoning Map No.:* 233	*Rev:* 07/1/2019

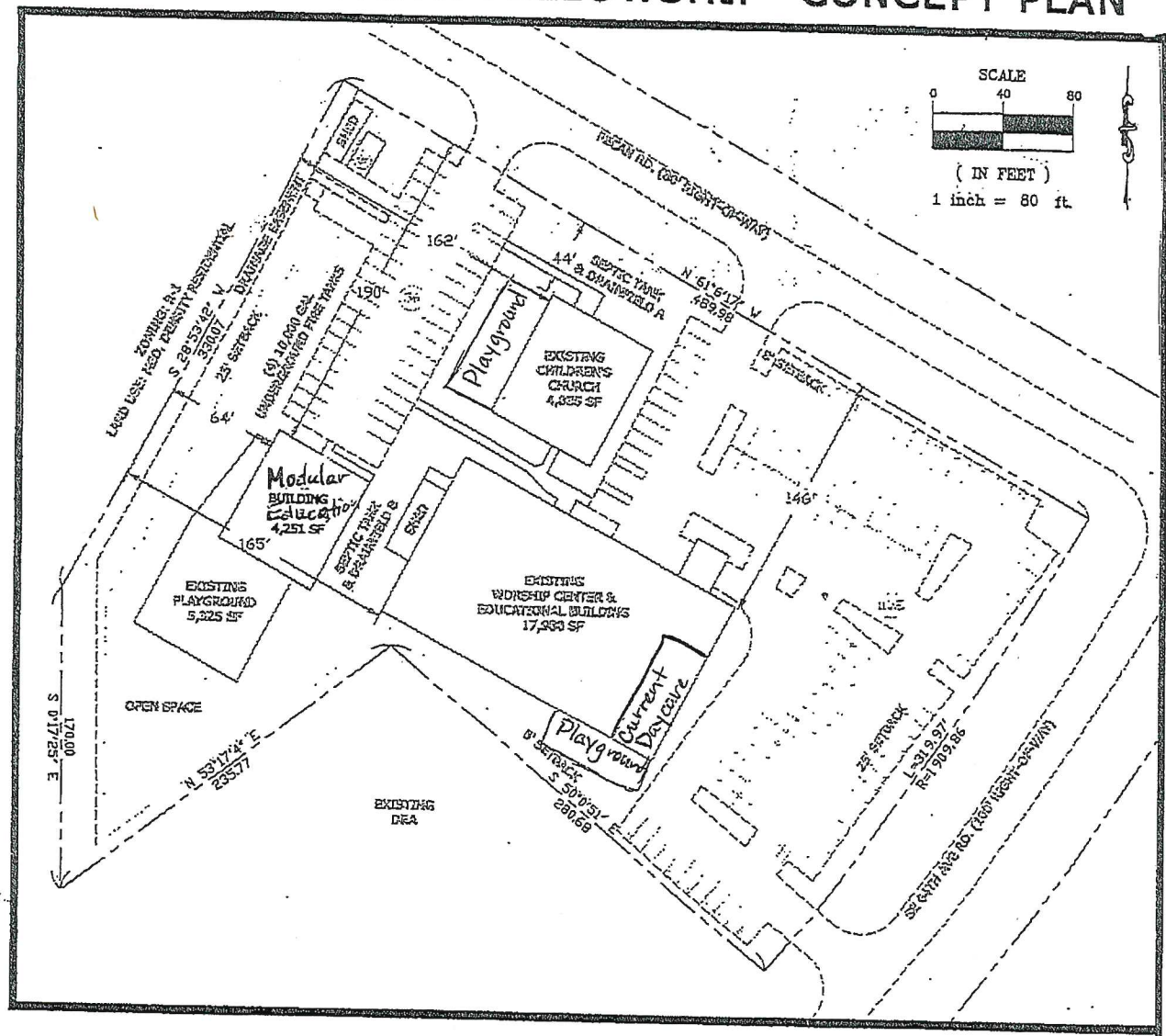
Findings of Facts:

Wings of Faith Church was established in 1988 by SUP. The daycare and preschool started in approximately 1999 or 2000 without knowledge of a need for a special use permit. A special use permit was established in 2011, permit #9021-0000-03. Then, in 2023, the childcare and preschool moved from the modular building into the main building, permit #2023-07-2846. In addition to the childcare and preschool, Wings of Faith Church is looking to launch a private school for grades K5 to 5th Grade under the Fictitious name "Wings of Faith Academy".

1. Access to the Academy is located from Pecan Rd. There is an existing driveway and parking lot leading to the modular building.
2. Parking provided by 36 existing paved spaces, as well as 130 paved spaces in the main building parking lot if needed.
3. Dumpsters on sight, commercial pick-up of trash.
4. Water and sewer is provided by an on-site well and septic tank.
5. Chain link fencing has been added. Privacy fencing or vegetative material will be provided along the west boundary where the Academy abuts residential use if needed.
6. Any signage for the Academy will be incorporated into the existing church signs and meet all county size requirements.
7. Adequate open area and green space provided, as well as a fenced in area for recess.
8. The daycare has existed without incidence for about 25 years, and adding the academy will fit with the current purposes.
9. Wings of Faith is willing to meet any and all requirements.

WINGS OF FAITH FELLOWSHIP- CONCEPT PLAN

SPECIAL USE PERMIT APP



EXISTING SITE DATA

ADDRESS: 5066 SE 64TH AVE . RD.
PID:9021-0000-03
LAND USE: MED. DENSITY RESIDENTIAL
ZONING: R-1

LEGAL DESCRIPTION: TRACT "AD" OF SILVER SPRINGS SHORES UNIT NO. 21 AS PERPLAT THEREOF RECORDED IN FLAT BOOK "J" PAGES 169 THRU 175 OF THE PUBLIC RECORDS OF MARION COUNTY, FL.

SITE AREA: 156,694 SF
IMPERVIOUS AREA: 90,688 SF (57.8%)
PARKING PROVIDED: 161 SPACES
SANITARY SEWER: ON SITE SEPTIC
AREA A: 1200 GAL TANK; 750 GAL GREASE INTERCEPTOR; 321 SF OF DRAINFIELD
AREA B: 2200 GAL TANK; 750 GAL GREASE INTERCEPTOR; 875 SF OF DRAINFIELD
DOMESTIC WATER: ON-SITE WELL INSIDE WELL HOUSE
FIRE PROTECTION: FOUR (4) 10,000 GAL UNDERGROUND TANKS

PROPOSED SITE DATA

NO IMPROVEMENTS ARE PROPOSED, ONLY USE ALLOWANCE REQUESTED.

REQUEST SPECIAL USE PERMIT TO ALLOW THE PRESENT CHILDCARE USE PERMIT TO BE USED AS A PRIVATE SCHOOL K5-5TH GRADE AND LEARNING CENTER

MAXIMUM CHILD COUNT: 70

AREA CALCULATIONS:

REQUIRED INDOOR: 35 SF/CHILD:2,450 SF
PROVIDED INDOOR: 4,251 SF
REQUIRED OUTDOOR 45 SF/CHILD: 3,150 SF
PROVIDED OUTDOOR: 5,325 SF

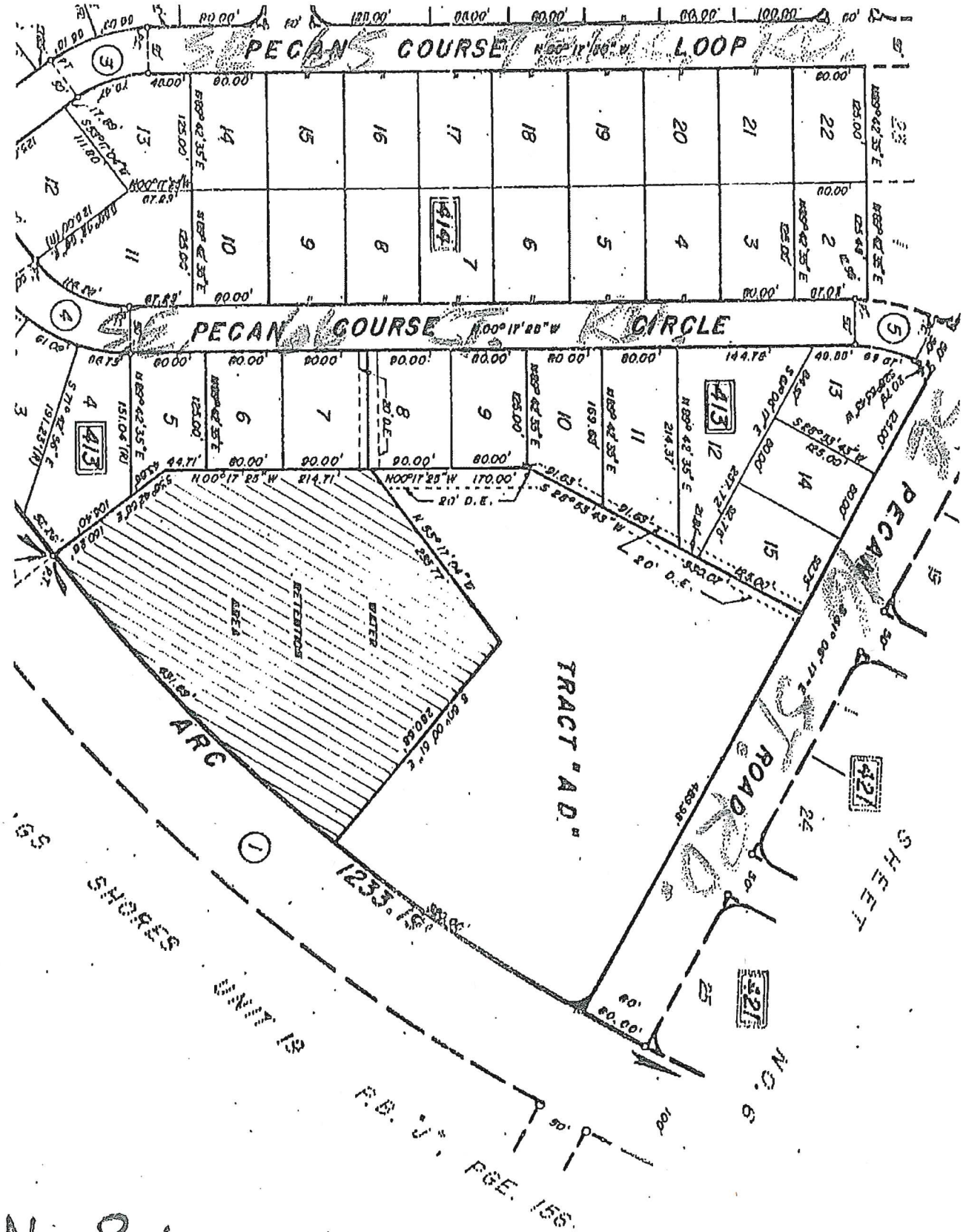
ALL OPERATIONS ASSOCIATED WITH THE SCHOOL SHALL BE IN ACCORDANCE WITH THE REGULATIONS ESTABLISHED BY THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILY AND THE D.O.E.

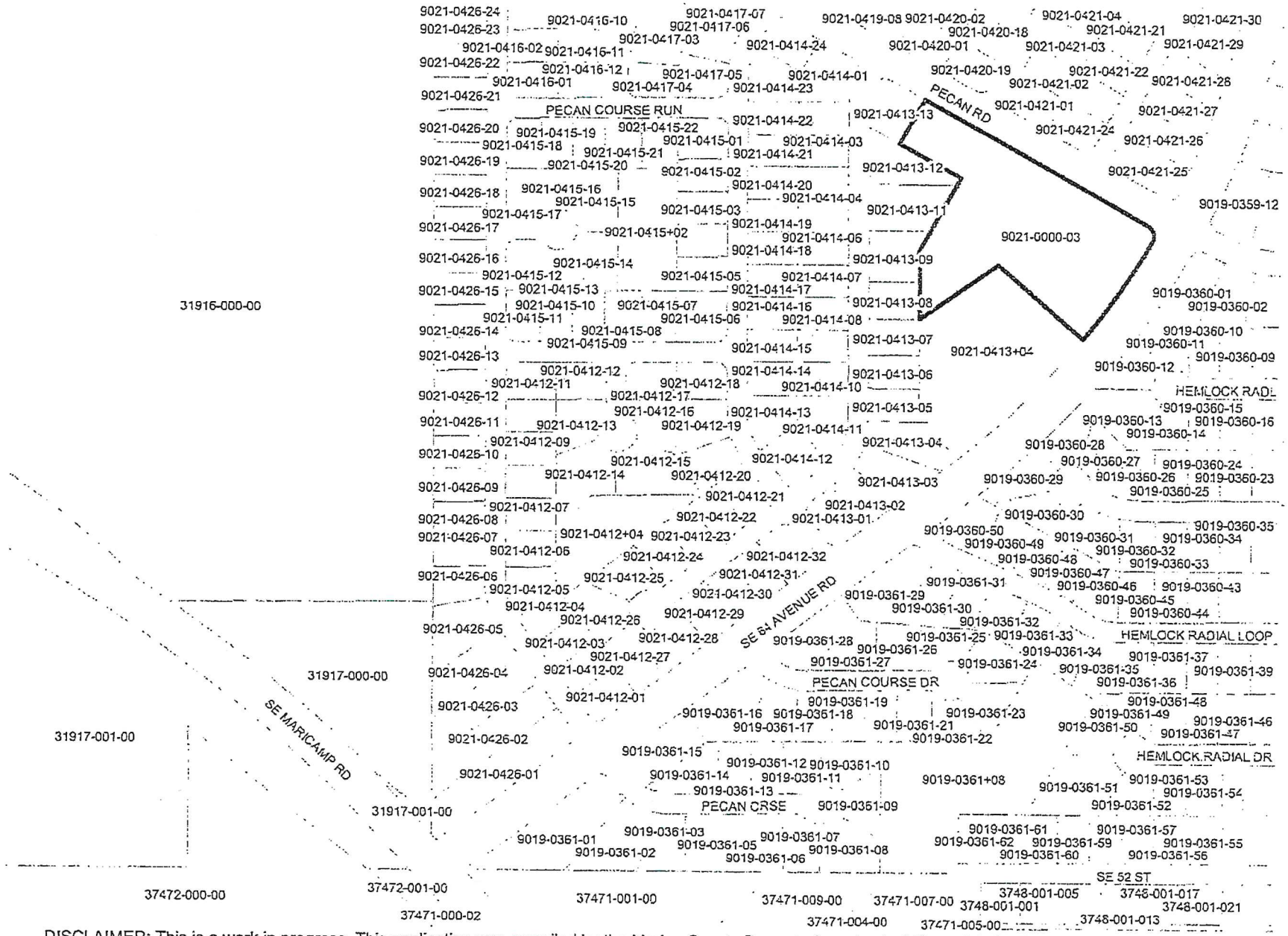
CONTACT INFORMATION

WINGS OF FAITH FELLOWSHIP
5066 64TH AVE. RD.
OCALA, FL 34472
PASTOR ROCKY SHRABLE
(352) 687-4600

AUTHORIZED REPRESENTATIVES
VICKI LISTEBARGER
SCOTT JONES
THOMAS HARDING

ATTACHMENT A


PECAN COURSE LOOP
PECAN COURSE CIRCLE
TRACT "A.D."
ARC
PECAN ROAD
SHEET
No Priors



DISCLAIMER: This is a work in progress. This application was compiled by the Marion County Property Appraiser's Office solely for the governmental purpose of property assessment. These are NOT surveys. Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation. All information subject to change without notice. Use at your own risk.

Rec. 17.00
Doc. .70

This instrument prepared by,
record and return to:
R. WILLIAM FUTCH, ESQUIRE
Post Office Box 4885
Ocala, Florida 34478
Telephone: (352) 732-8080

5.CCHd.

DAVID R. ELLSPERMANN, CLERK OF CIRCUIT COURT
FILE: 98044965
05/21/98 08:27
OR BOOK/PAGE: 2502/427
MARION COUNTY

Deed Doc Stamps 0.70 PAID

05/21/98 MARION COUNTY -

NOTE: THIS CORRECTIVE DEED IS FOR THE SOLE PURPOSE OF CORRECTING THE NAME OF THE OWNER TO REFLECT THE SUCCESSOR CHURCH'S PROPER NAME.

CORRECTIVE DEED

THIS CORRECTIVE DEED, made this 20 day of May, 1998, between WINGS OF FAITH FELLOWSHIP CHURCH OF GOD, f/k/a OCALA SHORES CHURCH OF GOD, a Non-Profit Organization, by and through its current Local Board of Trustees, OWEN HAYDEN, CARL JOHNSON and DAVID SHOOT, as Trustees and JOHNNY JOHNSON, as Pastor hereinafter called the Grantors, whose post office address is 5066 S.E. 64th Avenue Road, Ocala, Florida 34472, and OWEN HAYDEN, CARL JOHNSON and DAVID SHOOT, as Trustees, constituting the Local Board of Trustees of WINGS OF FAITH FELLOWSHIP CHURCH OF GOD, a subordinate church of the CHURCH OF GOD, A TENNESSEE CORPORATION, (formerly known as the OCALA SHORES CHURCH OF GOD), whose post office address is 5066 S.E. 64th Avenue Road, Ocala, Florida 34472, hereinafter called the Grantees,

WITNESS, that said Grantors, for and in consideration of the sum of TEN and 00/100 ($10.00) DOLLARS, and other good and valuable considerations to said Grantors in hand paid by said Grantees, the receipt whereof is hereby acknowledged, does remise, release and quitclaim to the said Grantees' heirs and assigns forever, the following described land, situate, lying and being in Marion County, Florida, to-wit:

THE PROPERTY DESCRIBED ON THE
ATTACHED EXHIBIT "A"

SUBJECT TO: Ad Valorem Taxes for 1998 and subsequent years;

F.S. Section 689.02 required information:
Property Appraiser's Parcel I.D. Number 9021-0000-03,
Grantees' Federal Tax Identification Number: _____.

The said Local Board of Trustees [redacted]e full right, power and authority to sell, exchange, transfer and convey said property or to borrow money and pledge the said real estate for the repayment of the same and to execute all necessary deeds, conveyances, and so forth, provided the proposition shall first be presented to a regular or called conference of the said local church, presided over and approved by the state or territorial overseer of the Church of God (Cleveland, Tennessee), or one whom he may appoint, and the project approved by two-thirds of all members of the said local congregation present and voting. Certification is to be given in writing by the state/territorial overseer that this transaction is in the best interest of the Church of God (Cleveland, Tennessee), provided that he approves such action.

If the local congregation at the place above described shall at any time cease to function, or exist, or shall act contrary to Church of God polity, or separate from the Church of God (Cleveland, Tennessee), then said trustees shall hold title to said real estate, including personal property, for the Church of God (Cleveland, Tennessee) generally in the state where said real estate is located; and said trustees shall convey the said real estate upon demand to the State Board of Trustees of the Church of

FILE: 98044965
OR BOOK/PAGE: 2502/430

Tract AD as shown on the plat of SILVER SPRINGS SHORES UNIT NO. 21 as recorded in Plat Book J, Pages 169 through 175, Public Records of Marion County, Florida, being further described as that tract of land bounded on the North by the Southerly right of way line of Pecan Road as shown on the said plat of SILVER SPRINGS SHORES UNIT NO. 21, on the East by the Easterly limits of the said plat of SILVER SPRINGS SHORES UNIT NO. 21, on the South by the Northerly limits of that certain water retention area as shown on the said plat of SILVER SPRINGS SHORES UNIT NO. 21 and on the West by the Easterly block line of Block 413 as shown on the said plat of SILVER SPRINGS SHORES UNIT NO. 21, all of the above situate, lying and being in Marion County, Florida.

DAVID R ELLSPERMANN
CLERK OF MARION COUNTY
BK 03309 PG 1754
FILE NUM 2002146177
RECORDED 12/26/2002 12:38:48 PM
DEED DOC TAX 0.70
RECORDING FEES 15.00
RECORDED BY D Collier

This Instrument prepared by and return to:
Name: THOMAS C. RANEW, JR.
Thomas C. Ranew, Jr., P. A.
Post Office Box 958
Silver Springs, Florida 34489-0958

Property Appraisers Parcel Identification Number: [redacted]

Grantees Tax ID No.

REC $15.00
DOC .70

WARRANTY DEED

(STATUTORY FORM--SECTION 689.02, F.S.)

This Warranty Deed, made and executed the 20th day of November, 2002, By MARGUERITE CRUZ, a single person, Grantor, and OWEN HAYDEN, CARL JOHNSON and DAVID SMOOT as trustees, constituting the local board of trustees of WINGS OF FAITH FELLOWSHIP CHURCH OF GOD, a subordinate church of the CHURCH OF GOD, A TENNESSEE CORPORATION, whose post office address is 5066 S.E. 64th Avenue Road, Ocala, Florida 34472, hereinafter called the Grantees,

Witnesseth: that the grantor, for and in consideration of the sum of TEN AND no/100 Dollars, and other valuable considerations, receipt whereof is hereby acknowledged, by these presents do grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Marion County, Florida, viz:

Lot 14, Block 413, Unit 21, SILVER SPRINGS SHORES, as per plat thereof recorded in Plat Book J, page 175, Public records of Marion County, Florida.

SUBJECT TO:

1. Taxes and assessments for the current year and all subsequent years
2. Conditions, restrictions, reservations, limitations, easements and utility agreements of record affecting said property.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantees that she is lawfully seized of said land in fee simple; that she has good right and lawful authority to sell and convey said land; that she hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

FILE NUM 2002146177
OR BOOK 03309 PAGE 1755

MINIMUM DOCUMENTARY STAMPS ARE AFFIXED BECAUSE THIS IS A GIFT

The said Local Board of Trustees shall have full right, power and authority to sell, exchange, transfer and convey said property or to borrow money and pledge the said real estate for the repayment of the same and to execute all necessary deeds, conveyances, and so forth, provided the proposition shall first be presented to a regular or called conference of the said local church, presided over and approved by the state or territorial overseer or the Church of God (Cleveland, Tennessee), or one whom he may appoint, and the project approved by two-thirds of all members of the said local congregation present and voting.

Certification is to be given in writing by the state/territorial overseer that this transaction is in the best interest of the Church or God (Cleveland, Tennessee), provided that he approves such action.

If the local congregation at the place above described shall at any time cease to function, or exist, or shall act contrary to Church of God polity, or separate from the Church of God (Cleveland, Tennessee), then said trustees shall hold title to said real estate, including personal property, for the Church of God {Cleveland, Tennessee) generally in the state where said real estate is located; and said trustees shall convey the said real estate upon demand to the State Board of Trustees of the Church of God Cleveland, Tennessee) in said state. which said state board shall be authorized to use said real estate and personal property, or the proceeds derived from the sale of same (said state board being authorized to sell and convey the said real estate and personal property at any time after title is vested in it), for the use and benefit of the Church of God (Cleveland, Tennessee) in that state generally; or the founding of another Church of God (Cleveland, Tennessee) in the same state, or for the promotion of one already existing.

If at any time the Local Board of Trustees shall cease to exist or to perform its duties for any reason, then the state overseer of the state in which said real estate is located shall have the authority to declare all offices on the said board vacant, and the State Board of Trustees of the Church of God for that State shall automatically then hold title to said property as evidenced by an appropriate instrument filed in the local county register of deeds.

The limitations set forth herein are those appearing in the Minutes of the General Assembly of the Church of God most currently in effect and said Minutes are expressly incorporated herein by reference.

CHURCH of GOD

Florida State Executive Offices

PASTORAL APPOINTMENT LETTER

January 25, 2010

The Reverend Rocky Deno Shrable (File No. 27252)
3024 NE 26th Street
Ocala, FL 34470-7925

TO WHOM IT MAY CONCERN:

This is to certify that Reverend Rocky Deno Shrable has been duly appointed as pastor of the Ocala, Wings of Faith Fellowship Church of God (Church File No. 10083). This appointment is made by Dr. J. Martin Taylor, duly appointed Administrative Bishop of the Church of God in Tampa, Florida, and is effective January 24, 2010.

As pastor of the Ocala, Wings of Faith Fellowship Church of God, Reverend Rocky Deno Shrable is to take charge of all church funds, notes, documents, bank accounts and records belonging to the Ocala, Wings of Faith Fellowship Church of God and coming under the jurisdiction of the pastor in compliance with the rulings of the Church of God General Assembly and recorded in the *2008 Minutes of the Church of God General Assembly* and the rulings of the 2008 State Ministers Meeting. Further, this ministerial appointment, may also be rescinded at any time by the duly appointed administrative bishop, as provided for in the book of church order or book of discipline for the Church of God, the *Minutes of the Church of God General Assembly (2008 edition)*, or as amended from time to time.

Sincerely,

CHURCH OF GOD FLORIDA STATE OFFICE

J. Martin Taylor, D.D.
Administrative Bishop

JMT/nap

XC: Ronnie Reid,Regional Bishop
Jack McKinley, Elder
Church Clerk
All State Office Departments

CERTIFICATE OF IDENTIFICATION AND APPOINTMENT

Rocky Shrable
NAME
3024 NE 26th Street
ADDRESS
Ocala, FL 34470
CITY, STATE, ZIP
Pastor - Ord. Bishop - #27252
POSITION, MINISTERIAL NUMBER
J. Martin Taylor
ADMINISTRATIVE BISHOP
SIGNATURE
CHURCH OF GOD
INTERNATIONAL OFFICES
CLEVELAND, TN 37311
U.S.A.
VOID AFTER OCTOBER 1, 2010

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

J. Martin Taylor, duly appointed Administrative Bishop of the Churches of God in Florida, personally appeared before me and personally known to me, the undersigned Notary Public in and for the state and county aforesaid, and acknowledges the he executed this document for the purposes herein contained and expressed. He did not take an oath.

Witness my hand and seal this 25th of January, 2010 2009.

Mary Frances Horton, Notary Public
My Commission Expires: 7.19.13

MARY FRANCES HORTON
MY COMMISSION EXPIRES
July 19, 2013
#DD 872199
Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

3736 CRAGMONT DRIVE, TAMPA, FLORIDA 33619 (813) 620-3366

Martsolf, Samuel

From: David Smoot [david.smoot@wingsoffaith.com]
Sent: Wednesday, April 13, 2011 11:28 AM
To: Martsolf, Samuel
Cc: Rocky Shrable
Subject: Pastor Rocky Shrable
Attachments: Shrable Pastoral Appointment Letter.pdf

Greetings Mr. Martsolf:

As a trustee of Wings of Faith Fellowship Church of God, I am writing to inform you that under the rulings of the Church of God General Assembly and 2008 Church of God State Ministers Meeting, Pastor Rocky D. Shrable is authorized to conduct business on behalf of our congregation. Please see the attached Letter of Appointment for Pastor Shrable to the pastorate of Wings of Faith Fellowship.

If I can be of any further service, please do not hesitate to contact me.

David M. Smoot, Trustee
Wings of Faith Fellowship Church of God

ATTACHMENT A

Jimmy H. Cowan, Jr., CFA
Marion County Property Appraiser
501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card
Real Estate

9021-0000-03

GOOGLE Street View

Prime Key: 1417481 | MAP IT+ | Current as of 4/17/2025

Property Information

WINGS OF FAITH FELLOWSHIP
CHURCH OF GOD
5066 SE 64TH AVENUE RD
OCALA FL 34472-6286

Taxes / Assessments:
Map ID: 233
Millage: 9001 - UNINCORPORATED

M.S.T.U.
PC: 71
Acres: 4.10

More Situs
Situs: 5066 SE 64TH AVENUE RD
OCALA

2024 Certified Value

Land Just Value	$98,400
Buildings	$2,341,909
Miscellaneous	$49,011
Total Just Value	$2,489,320
Total Assessed Value	$2,489,320
Exemptions	($2,489,320)
Total Taxable	$0

Ex Codes: 10

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$98,400	$2,341,909	$49,011	$2,489,320	$2,489,320	$2,489,320	$0
2023	$61,500	$2,410,638	$49,031	$2,521,169	$2,521,169	$2,521,169	$0
2022	$57,400	$2,236,922	$49,408	$2,343,730	$2,343,730	$2,343,730	$0

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
5875/1764	05/2013	09 EASEMNT	0	U	I	$100
3309/1754	11/2002	07 WARRANTY	0	U	V	$100
2502/0427	05/1998	08 CORRECTIVE	0	U	V	$100
2163/0205	08/1995	07 WARRANTY	2 V-SALES VERIFICATION	Q	V	$5,000
1542/0910	12/1988	06 SPECIAL WARRANTY	9 UNVERIFIED	U	V	$36,000
1143/0489	01/1983	07 WARRANTY	0	U	V	$100

Property Description

SEC 31 TWP 15 RGE 23

ATTACHMENT A

PLAT BOOK J PAGE 169
SILVER SPRINGS SHORES UNIT 21
TRACT AD &
BLK 413 LOTS 14.15

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
7120		320.0	490.0	R1	4.10	AC						
9994		320.0	.0	R1	1.00	UT						

Neighborhood 2021 - SILVER SPRINGS SHORES UNIT 21
Mkt: 6 70

Traverse

Building 1 of 4
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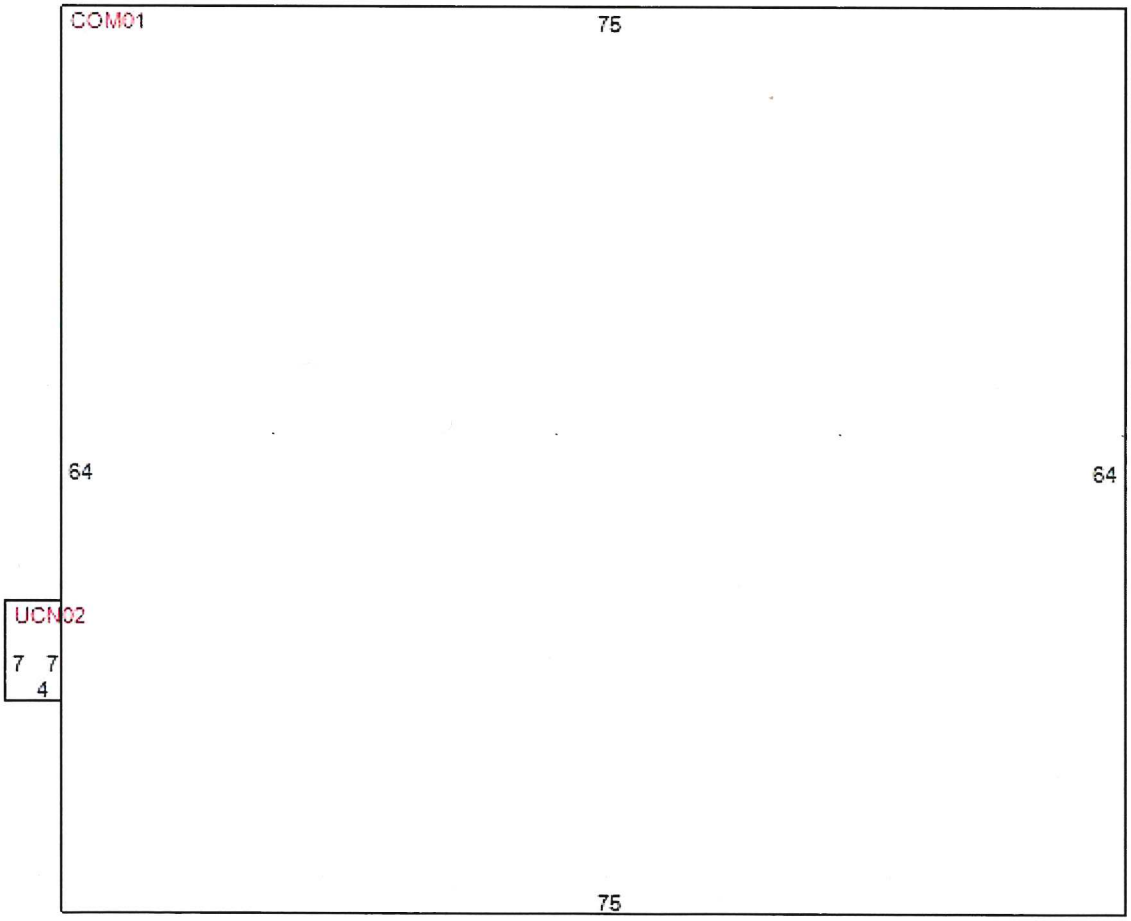
UCN02=L4U7R4D7.



Building Characteristics

ATTACHMENT A

Structure	2 - STUD FRAME WOODMTL	**Year Built**	1989
Effective Age	5 - 20-24 YRS	**Physical Deterioration**	0%
Condition	4	**Obsolescence: Functional**	0%
Quality Grade	500 - FAIR	**Obsolescence: Locational**	0%
Inspected on	8/14/2023 by 117	**Base Perimeter**	278

Exterior Wall 29 VINYL SIDING

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	9.0	1.00	1990	0	4,800	F71 CHURCH	100 %	N	Y
2	8.0	1.00	2017	0		28 UCN CANOPY UNFIN	100 %	N	N

Section: 1

Elevator Shafts: 0	**Aprtments:** 0	**Kitchens:** 0	**4 Fixture Baths:** 0	**2 Fixture Baths:** 1
Elevator Landings: 0	**Escalators:** 0	**Fireplaces:** 0	**3 Fixture Baths:** 1	**Extra Fixtures:** 6

Traverse

Building 2 of 4

COM01=L60U70R60D70.L59,8
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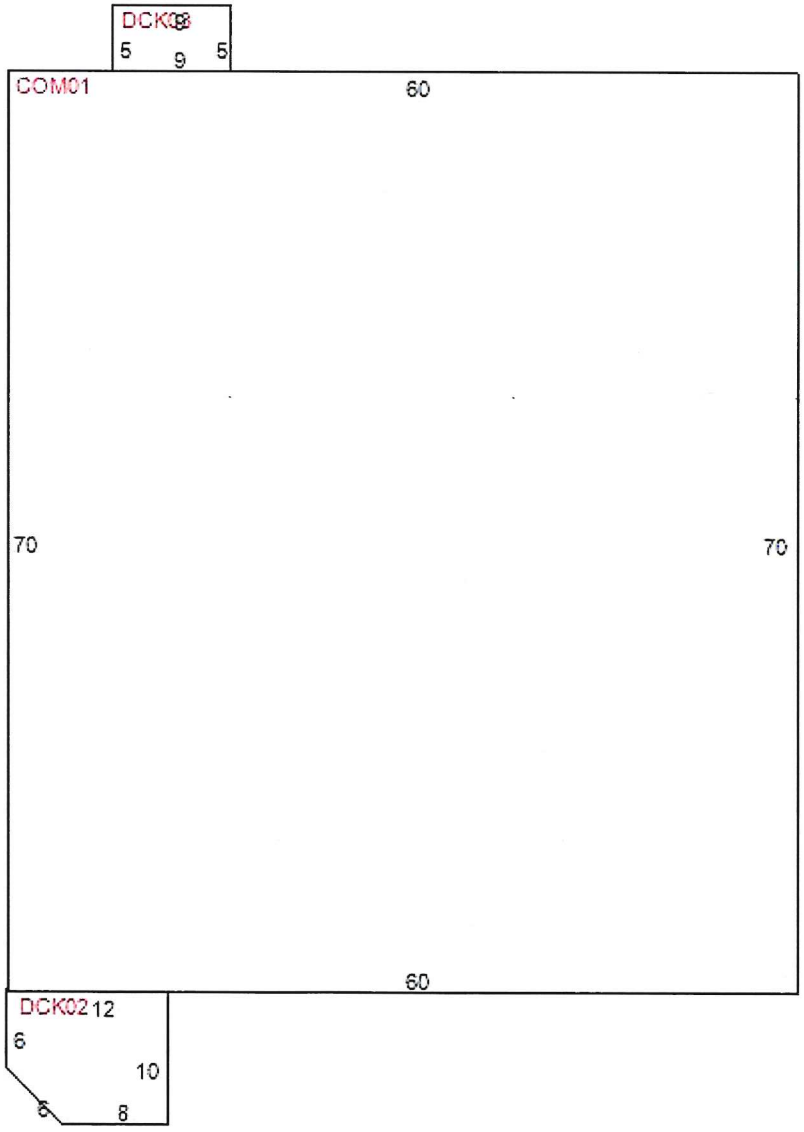
DCK03=U5R9D5L9.



ATTACHMENT A

Building Characteristics

Structure	2 - STUD FRAME WOODMTL	**Year Built**	1993
Effective Age	4 - 15-19 YRS	**Physical Deterioration**	0%
Condition	1	**Obsolescence: Functional**	0%
Quality Grade	400 - FAIR	**Obsolescence: Locational**	0%
Inspected on	8/14/2023 by 117	**Base Perimeter**	260

Exterior Wall 18 PREFINISHED MTL

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	8.0	1.00	1993	0	4,200	F71 CHURCH	100 %	N	Y
2	3.0	1.00	1993	0	113	DCK DECK-WOOD	100 %	N	N
3	3.0	1.00	2005	0	45	DCK DECK-WOOD	100 %	N	N

Section: 1

Elevator Shafts: 0	**Aprtments:** 0	**Kitchens:** 1	**4 Fixture Baths:** 2	**2 Fixture Baths:** 2
Elevator Landings: 0	**Escalators:** 0	**Fireplaces:** 0	**3 Fixture Baths:** 0	**Extra Fixtures:** 6

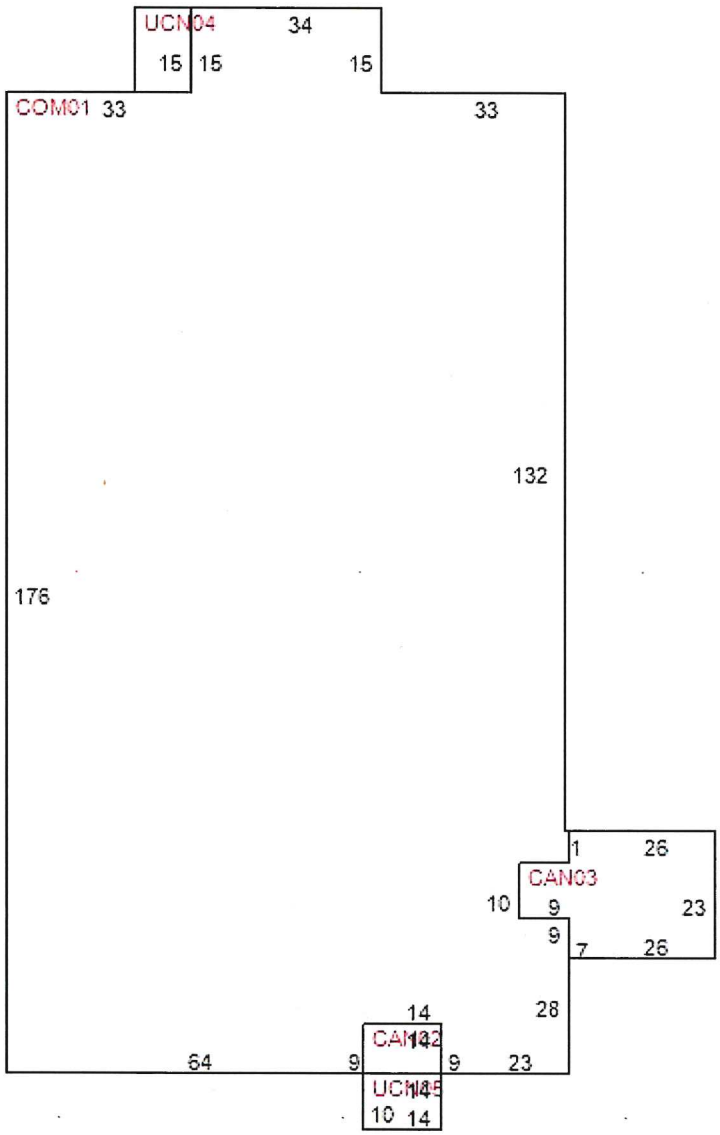
Traverse

Building 3 of 4

COM01=U9L14D9L64U176R33U15R34D15R33D132R1D6L9D10R9D28L23.
CAN02=U9L14D9R14.R23U28
CAN03=L9U10R9U6R26D23L26U7.U148L68
UCN04=U15L10D15R10.L33D176R64

ATTACHMENT A

UCN05=D10R14U10L14.



Building Characteristics

Structure	1 - WH STL FR	**Year Built**	1999
Effective Age	3 - 10-14 YRS	**Physical Deterioration**	0%
Condition	0	**Obsolescence: Functional**	0%
Quality Grade	600 - AVERAGE	**Obsolescence: Locational**	0%
Inspected on	8/14/2023 by 117	**Base Perimeter**	620

Exterior Wall 18 PREFINISHED MTL54 OCALA BLOCK

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	10.0	1.41	1999	0	17,938	F71 CHURCH	55 %	N	Y
						F72 SCHOOL/PRIVATE	43 %	N	Y
						F48 WAREHOUSE/DISTRIBUTE	2 %	N	N
2	12.0	1.00	1999	0	126	CAN CANOPY-ATTACHD	100 %	N	N
3	13.0	1.00	1999	0	688	CAN CANOPY-ATTACHD	100 %	N	N
4	10.0	1.00	2006	0	150	UCN CANOPY UNFIN	100 %	N	N
5	10.0	1.00	2017	0	140	UCN CANOPY UNFIN	100 %	N	N

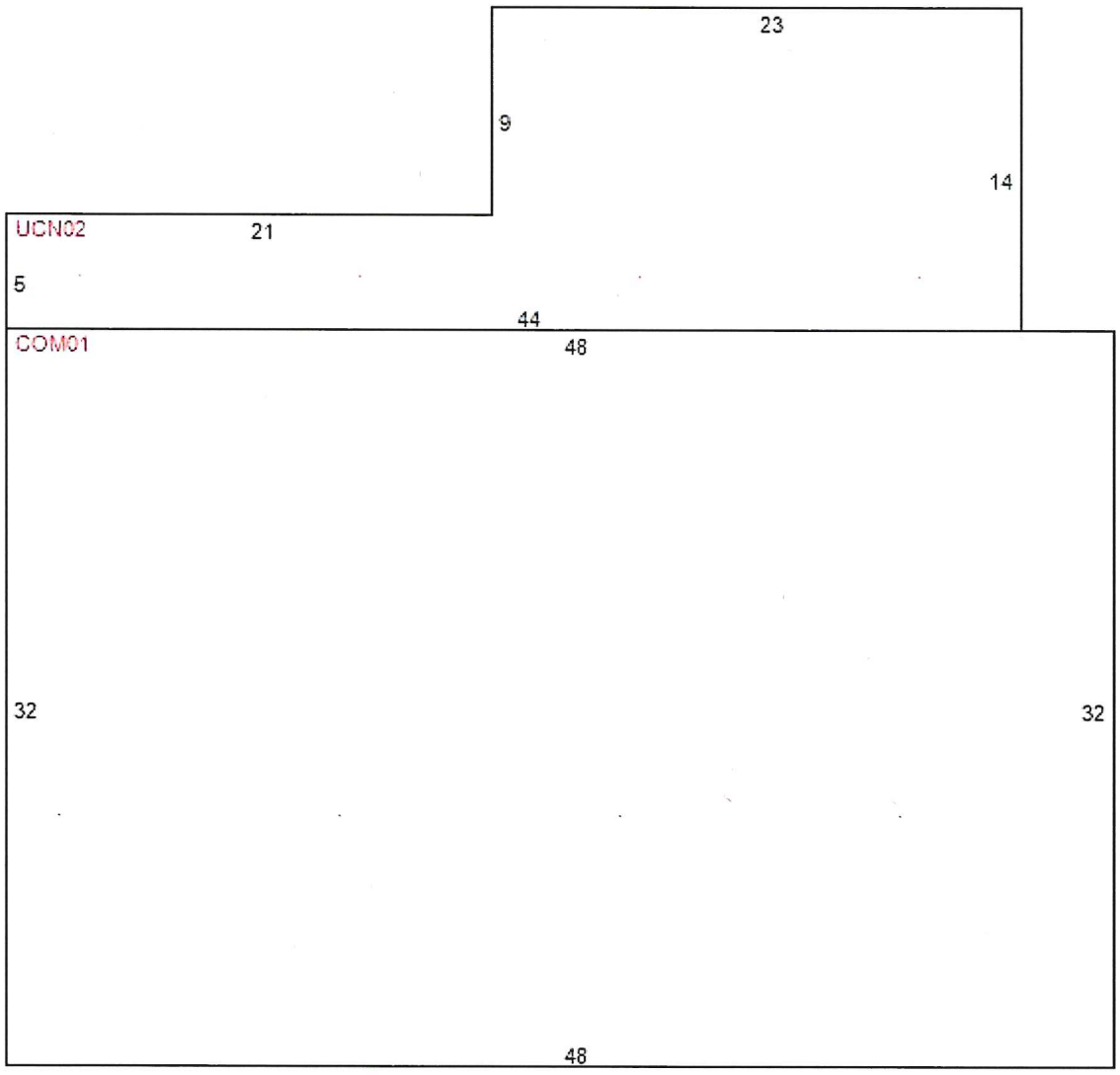
Section: 1

ATTACHMENT A

Elevator Shafts: 0	**Aprtments:** 0	**Kitchens:** 1	**4 Fixture Baths:** 4	**2 Fixture Baths:** 0
Elevator Landings: 0	**Escalators:** 0	**Fireplaces:** 0	**3 Fixture Baths:** 0	**Extra Fixtures:** 19

Traverse

Building 4 of 4
COM01=R48D32L48U32.
UCN02=U5R21U9R23D14L44.



Building Characteristics

Structure	2 - STUD FRAME WOODMTL	**Year Built**	2015
Effective Age	2 - 05-09 YRS	**Physical Deterioration**	0%
Condition	3	**Obsolescence: Functional**	0%
Quality Grade	400 - FAIR	**Obsolescence: Locational**	0%
Inspected on	8/14/2023 by 117	**Base Perimeter**	160

Exterior Wall 29 VINYL SIDING

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	10.0	1.00	2015	0	1,536	F48 WAREHOUSE/DISTRIBUTE	100 %	N	Y
2	9.5	1.00	2017	0	427	UCN CANOPY UNFIN	100 %	N	N

ATTACHMENT A

Section: 1

Elevator Shafts: 0	**Aprtments:** 0	**Kitchens:** 0	**4 Fixture Baths:** 0	**2 Fixture Baths:** 1
Elevator Landings: 0	**Escalators:** 0	**Fireplaces:** 0	**3 Fixture Baths:** 0	**Extra Fixtures:** 2

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width
159 PAV CONCRETE	416.00	SF	20	1989	3	0.0	0.0
144 PAVING ASPHALT	10,664.00	SF	5	1990	3	0.0	0.0
UDU UTILITY-UNFINS	288.00	SF	40	1994	3	12.0	24.0
159 PAV CONCRETE	2,031.00	SF	20	1999	3	0.0	0.0
144 PAVING ASPHALT	47,184.00	SF	5	1999	3	0.0	0.0
105 FENCE CHAIN LK	216.00	LF	20	1999	3	0.0	0.0
105 FENCE CHAIN LK	70.00	LF	20	1999	1	0.0	0.0
ADU UTILITY-ALUM	420.00	SF	40	1999	3	35.0	12.0
045 LEAN TO	253.00	SF	15	2015	1	23.0	11.0
UDU UTILITY-UNFINS	276.00	SF	40	2014	1	23.0	12.0
159 PAV CONCRETE	1,189.00	SF	20	2015	3	0.0	0.0
170 LOADING WELL	121.00	SF	20	1999	3	11.0	11.0

Appraiser Notes

WINGS OF FAITH FELLOWSHIP - CHURCH BLDG
2ND FL / BLDG #3 = 7268SF

Planning and Building
** Permit Search **

Permit Number	Date Issued	Date Completed	Description
2023072846	7/31/2023	10/19/2023	NEW CERT OF OCCUPANCY: CHANGE OF USE: CHURCH NURSERY TO DAY
2023072853	7/31/2023	8/2/2023	CERTIFICATE OF OCCUPANY/CHANGE OF USE FROM CHURCH TO DAYCAR
2023050367	6/1/2023	7/28/2023	MODIFICATION OF EXISTING WINDOW OPENINGS TO NEW DOOR OPENIN
2022073630	8/18/2022	5/25/2023	REPERMIT OF 2018090776 - PERMIT TYPE CHANGE TO ;REMOVE PART
2022033232	3/24/2022	10/19/2022	C/O 2.5 TON BARD WALLHUNG PACKAGE UNIT 11 SEER. ONLY CHANGE
2013090042	9/1/2013	6/23/2015	BUILDING 4
2011050809	5/8/2011	5/2/2014	RECONNECT
2011050754	5/1/2011	1/26/2012	FIRE INSPECTION
M031104	3/11/2010	3/30/2010	FIRE INSPECTION
M080913	8/1/2003	1/1/2005	IRRIGATION WELL
0702008	7/1/1997	4/1/1999	CHURCH
MA68072	8/1/1993	-	BLDG02=CHURCH
MA20628	2/1/1989	-	BLDG01=CHURCH

ATTACHMENT B

Exterior of portable

Portable being refurbished for K-5 educational operations

Western fence line to be buffered with fence/hedgerow

Playground to be upgraded for K-5 use

Entry from Pecan Rd.
(Proposed)

Dropoff

Exit to SE 64th Ave. Rd.
(Proposed)

Main Campus

VPK Site

Existing Food Pantry

ATTACHMENT C

Development Review Comments Letter

7/14/2025 2:56:02 PM

WINGS OF FAITH FELLOWSHIP CHURCH OF GOD (FKA OCALA SHORES CHURCH OF GOD)
ZO SUP #32753

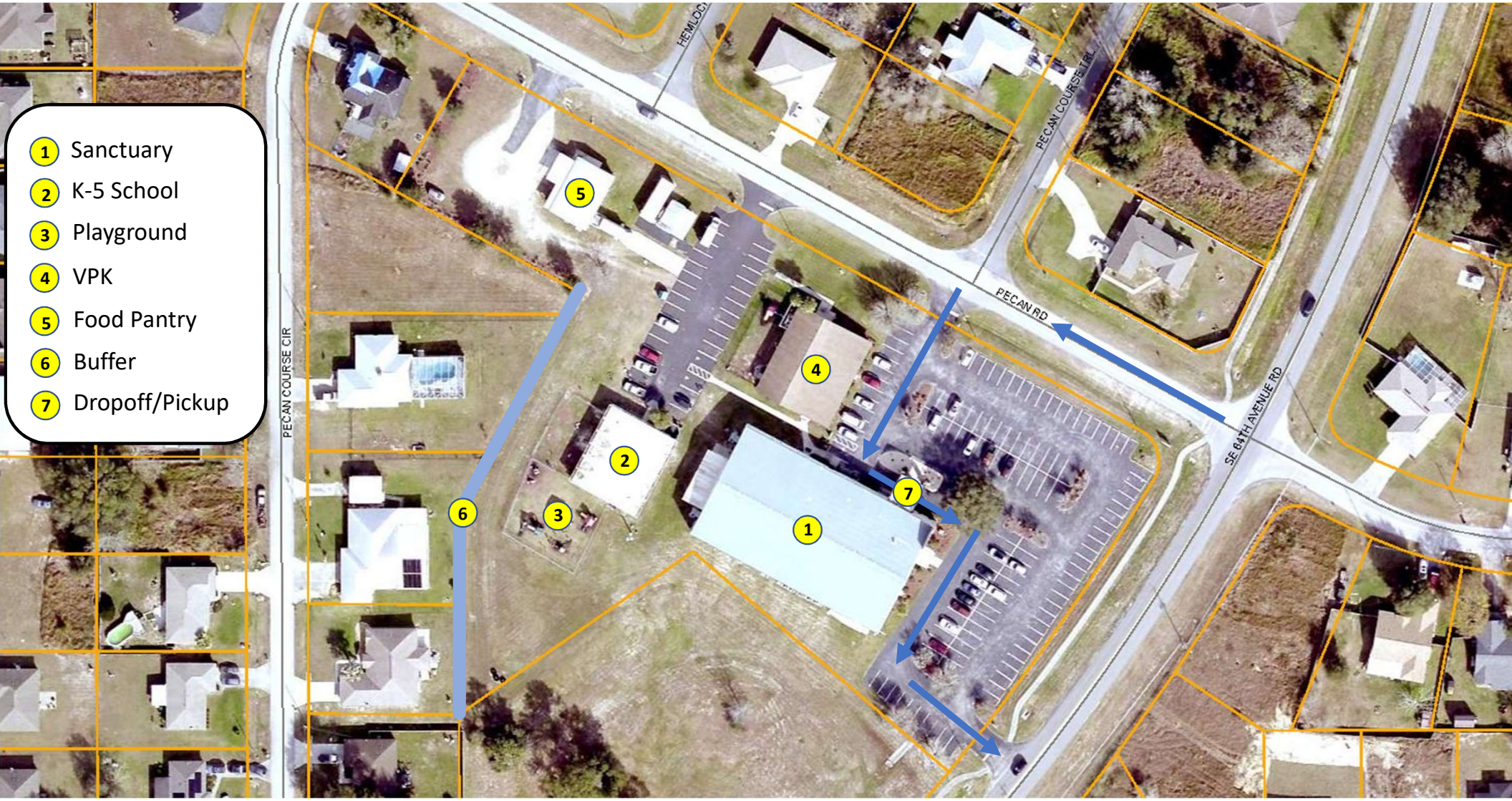
ID	DESCRIPTION	REMARK	STATUS	DEPT	APPLICANT RESPONSE
1	Special Use Permit	N/A	INFO	911	
2	Special Use Permit	Property may need to connect to central water/central sewer if available through Utilities. If remaining on septic system a septic permit for the new building will be required. The school will need a group care private school account through the Department of Health in Marion County. If food is being served to students a food permit will be required through the Department of Health in Marion County. Please contact Evan.Searcy@FLHealth.gov for more information	INFO	DOH	
3	Special Use Permit	Stormwater is not opposed to the special use permit. The applicant is requesting a SUP for the purpose of K-5 school. Parcel # 9021-0000-03 is currently zoned R-1 and is 4.1 acres in size. There are no FEMA Flood Zones or County Flood Prone Areas on this site. Per the MCPA, this site currently has 93,033 SF of impervious coverage. This site will be subject to a Major Site Plan or waiver when its existing and proposed impervious coverage exceeds 9,000 SF.	INFO	ENGDRN	
4	Special Use Permit	5/9/25 – RECOMMEND DENIAL: Applicant has not provided sufficient data to properly analyze peak hour trip generation based upon the ITE Trip Generation Manual, 11th Edition. Existing daycare approval indicates a maximum child count of 70. Based upon that stated factor, existing peak hour trip generations may be as high as 125. Within the “findings of facts” statement, applicant indicates an intent to launch a private school in addition to	INFO	ENGTRF	

ATTACHMENT C

		existing operations. However, the "concept plan" sheet appears to suggest some level of replacement with an overall maximum child count remaining at 70. Assuming an additional overall student headcount, the provided indoor sq. ft. per child suggests the possibility of an additional 121 elementary school students which could generate an average of 91 additional AM peak hour trips. It is also apparent that other operations may exist on the site, such as a food pantry, which could add to the overall site trips but have been undeclared within this application to enable a comprehensive review. Regardless of whether the proposed number of students are being added or included within the specific stated limit, the previously approved special use permit was approved nearly 14 years ago and will expire next year. Roadway traffic in this area has been identified as an ongoing concern and it is likely that, if approved, the expiration date would also be extended so it is important to understand the traffic impact of a new or amended approval. CONDITIONS FOR POTENTIAL APPROVAL: Applicant must provide a more detailed description of all site uses, provide the appropriate traffic impact analysis based upon those uses, and propose the construction of any roadway improvements determined to be necessary.			
5	Special Use Permit	Conditional approval. Private school occupants shall not use the main church building unless for special events. If they are to use the building at any time for educational purposes, then additional fire protection shall be required for the main church.	INFO	FRMSH	
6	Special Use Permit	improvement plan will need to be submitted	INFO	LSCAPE	
7	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	LUCURR	
8	Special Use Permit	Parcel 9021-0000-03 is located within the Marion County Utility service area and may be within connection distance to MCU water and sewer	INFO	UTIL	

ATTACHMENT C

		infrastructure. Both are approximately 2000' away . Due to the proposed change in use (Unable to identify) of the modular building on the property, Capacity Charges will need to be recalculated. It is strongly recommended that the applicant contact Marion County Utilities to confirm connection distance and to determine whether off-site water and sewer extensions may be required. Please contact the Utilities Development Review Officer, Heather Proctor at 352-438-2846 or Heather.Proctor@MarionFL.org to discuss potential connection(s).			
9	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	ZONE	


1 Sanctuary
2 K-5 School
3 Playground
4 VPK
5 Food Pantry
6 Buffer
7 Dropoff/Pickup
PECAN COURSE CIR
PECAN RD
PECAN COURSE TRL
SE 64TH AVENUE RD

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19928 **Agenda Date:** 7/28/2025 **Agenda No.:** 1.2.

SUBJECT:
250802SU - Partners Self Storage, LLC, Special Use Permit to Allow for Outdoor Storage of RVs, Boats, and Trailers, in a Community Business (B-2) Zone, 11.0 Acre Tract, Parcel Account Numbers 39169-000-00 & 39169-003-00, Site Address 7655 E Highway 25, Belleview, FL 34420

DESCRIPTION/BACKGROUND:
Klein & Klein, PLLC, on behalf of the owner Partners Self Storage, LLC, has applied for a Special Use Permit for outdoor storage of vehicles on a ±11-acre site with Commercial Future Land Use and B-2 zoning. The Parcel Identification Numbers associated with the property are 39169-000-00 & 39169-003-00, which are legally described in metes and bounds. The site's address is 7655 E Hwy 25, Belleview, FL 344620. The site is located within the Urban Growth Boundary, the Countywide Secondary Springs Protection Zone, and the City of Belleview's Utility Service Area.

The Conceptual Site Plan submitted with the application proposes 92 outdoor storage parking spaces internal to the site. The Conceptual Site Plan also proposes a one-story office building, pull-up mini storage units, and air-conditioned storage units, as permitted by-right in B-2 zoning, along with proposed buffers, parking, and drainage retention areas on site.

At the time of publication, no letter of opposition or letter of support have been received.

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

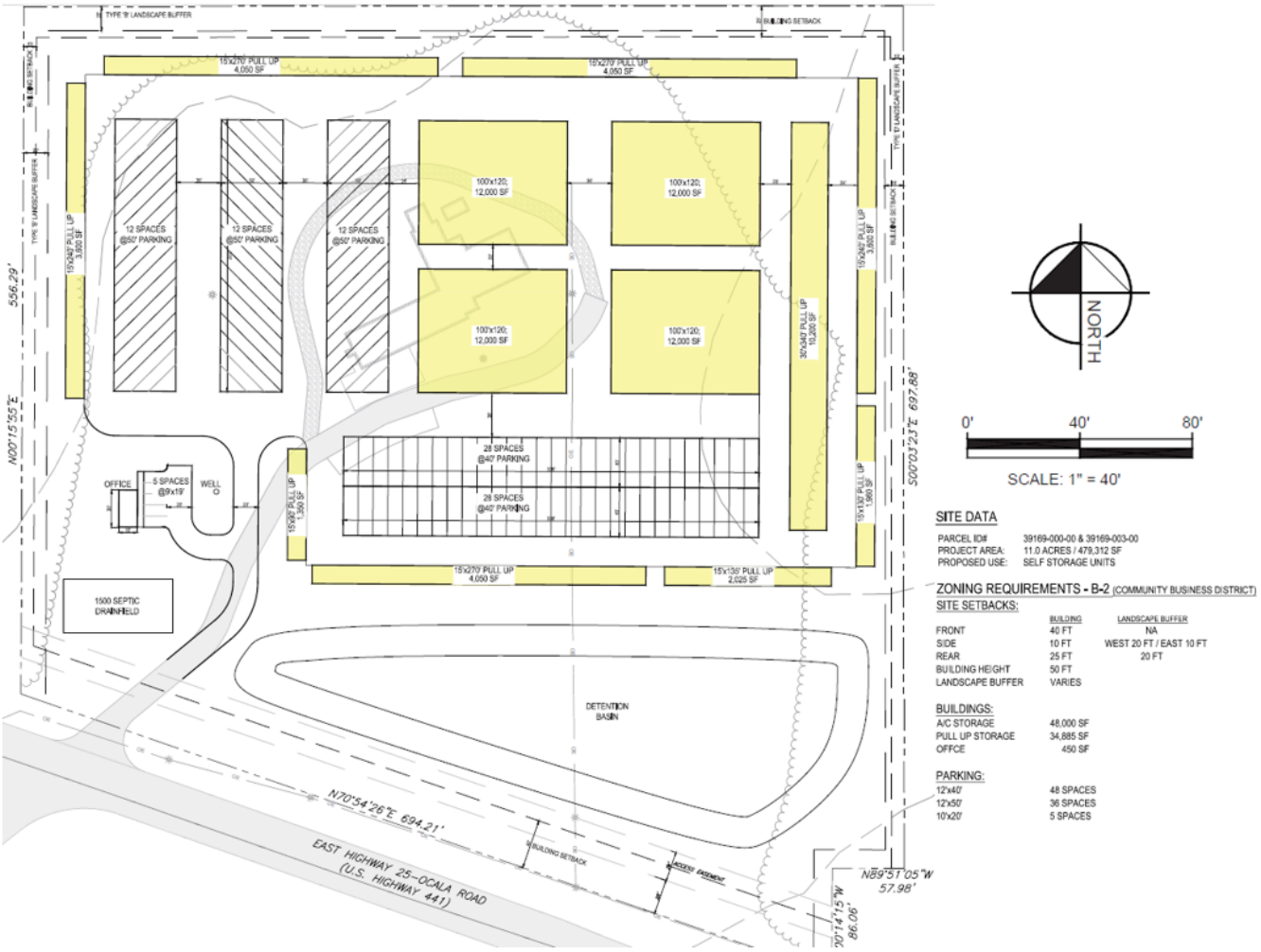
Hearing Dates	**P&Z: 07/28/2025**	**BCC: 08/19/2025**
Case Number:	250802SU	
CDP-AR:	32795	
Type of Case:	**Special Use Permit:** Outdoor storage of RVs, boats, trailers, and any ancillary use for vehicle storage	
Owner	Partners Self Storage, LLC	
Applicant	Klein & Klein, PLLC; Ethan A. White ESQ. (Agent)	
Street Address	7655 E Hwy 25 Belleview, FL 34420	
Parcel Number	39169-000-00 & 39169-003-00	
Property Size	±11.00 acres	
Future Land Use	Commercial (COM)	
Zoning Classification	Community Business (B-2)	
Overlay Zone/Scenic Area	Secondary Springs Protection Zone, Urban Growth Boundary; City of Belleview Utility Service Area	
Staff Recommendation	**Approval with Conditions**	
P&ZC Recommendation	**To be determined.**	
Project Planner	Erik Kramer	
Related Case(s)	[1] APPROVED March 2025: Ord. 25-04 / Case 25-S03 for a Small-Scale Land Use Amendment from MR to COM [2] APPROVED August 1987: Case 87R-289Z for a Zoning Change from R-1, R-4, & A-1 to B-2 [3] DENIED August 2008: Case 080113V for a variance to reduce spacing requirements for two (2) billboards.	

I. ITEM SUMMARY

Klein and Klein, PLLC, on behalf of the owner Partners Self Storage, LLC, has filed an application for a Special Use Permit to request permission for Outdoor storage of RVs, boats, trailers, and any ancillary use for vehicle storage on a ±11-acre site with a Commercial future land use designation and a B-2 zoning classification. Figure 1 is an aerial photograph showing the general location of the subject property. The Parcel Identification Numbers associated with the property are 39169-000-00 & 39169-003-00 and 7655 E Hwy 25 Belleview, FL 34420 is the site's current address. The parcel is located within the Urban Growth Boundary, Countywide Secondary Springs Protection Zone, and Belleview's Utility Service Area. The applicant's Special Use Permit (SUP) application (Attachment A) includes a Conceptual Plan proposing [1] a 450 sq. ft one-story office building, [2] 34,885 sq. ft. of pull up storage, [3] 48,000 sq. ft. of air-conditioned storage, [4] 36 storage parking spaces (50'), and [5] 56 storage parking spaces (40'). Additionally, the conceptual plan provides proposed buffers, non-storage parking, and drainage retention areas. Figure 2 shows the Conceptual Plan provided by the applicant. Attachment E shows clear PDF of original Conceptual Plan and a version overlaid onto a site aerial image. Staff is recommending **Approval with Conditions** of the Special Use Permit request.

Figure 1
Aerial Photograph of Subject Property

Figure 2
Conceptual Site Plan Submitted by Applicant, dated 03/2025



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **Approval with Conditions** as specified in Section VII.B. of this Staff Report. The recommended conditions are being imposed to address compliance with the requirements in Land Development Code (LDC) Sections 2.8.2.D and 2.8.3.B, in the event of approval.

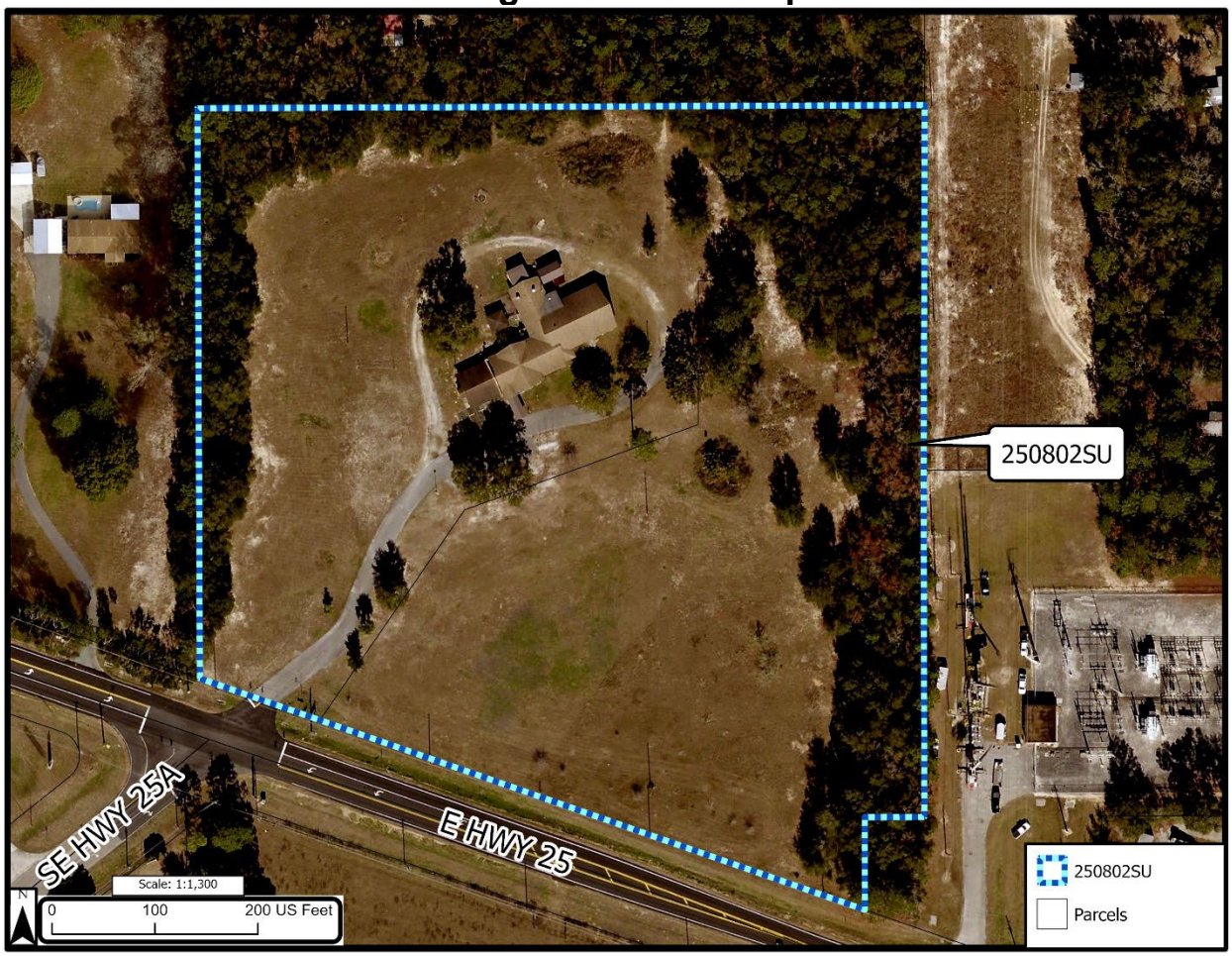
III. NOTICE OF PUBLIC HEARING

Consistent with LDC Section 2.7.3.C, notice of public hearing was mailed to 16 property owners within 300 feet of the subject property on July 11th, 2025. Consistent with LDC Section 2.7.3.B, a public notice sign was posted on the subject property on July 11th, 2025, where site photos were also collected. Consistent with LDC Section 2.7.3.E, due public notice was published in the Ocala Star-Banner on July 14th, 2025. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received. Evidence of the above-described public notices are on file with the Growth Services Department and are incorporated herein by reference.

IV. BACKGROUND/CHARACTER OF THE AREA

A. *Existing site conditions.* Figure 3 shows that the subject site hosts the former Elks Lodge and is located within Urban Growth Boundary. The site is located just north from the signalized intersection of SE Hwy 25A and E Hwy 25, which the site has direct access to. The former Elks Lodge building, which is now vacant, sits on the center of the site, surrounded by an open field and thick vegetation along the site boundaries, especially along the eastern and western edges. On the eastern edge, dense vegetation that helps block the view of the nearby Duke Energy station and the power lines running north and south, particularly for drivers traveling east on E Highway 25. The western side is also heavily wooded, while the northern side has lighter vegetation. Utility poles run along the southern property line and E Hwy 25 right of way.

Figure 3
Existing Conditions Map



B. *Surrounding area conditions.* Figure 4 shows how the subject property and nearby parcels are currently being used. Figure 5 shows the surrounding subdivisions.

On July 11, 2025, County staff visited the site and confirmed that the vacant building and surrounding vegetation are still in place. Staff also observed ongoing construction of the 170 approved homes in the Highland Belleview East Planned Unit Development, located directly south of the subject property.

Across the road to the southwest, there is an existing Circle K gas station and convenience store. Two homes in the Belleview Oak Estates subdivision have backyards that face the subject property and have direct sightlines to the site. Staff did not walk through the subject site; however, there appear to be some gaps in the vegetation along the northern edge, which may allow those two northern residences to see into the site.

Figure 4
MCPA Existing Uses

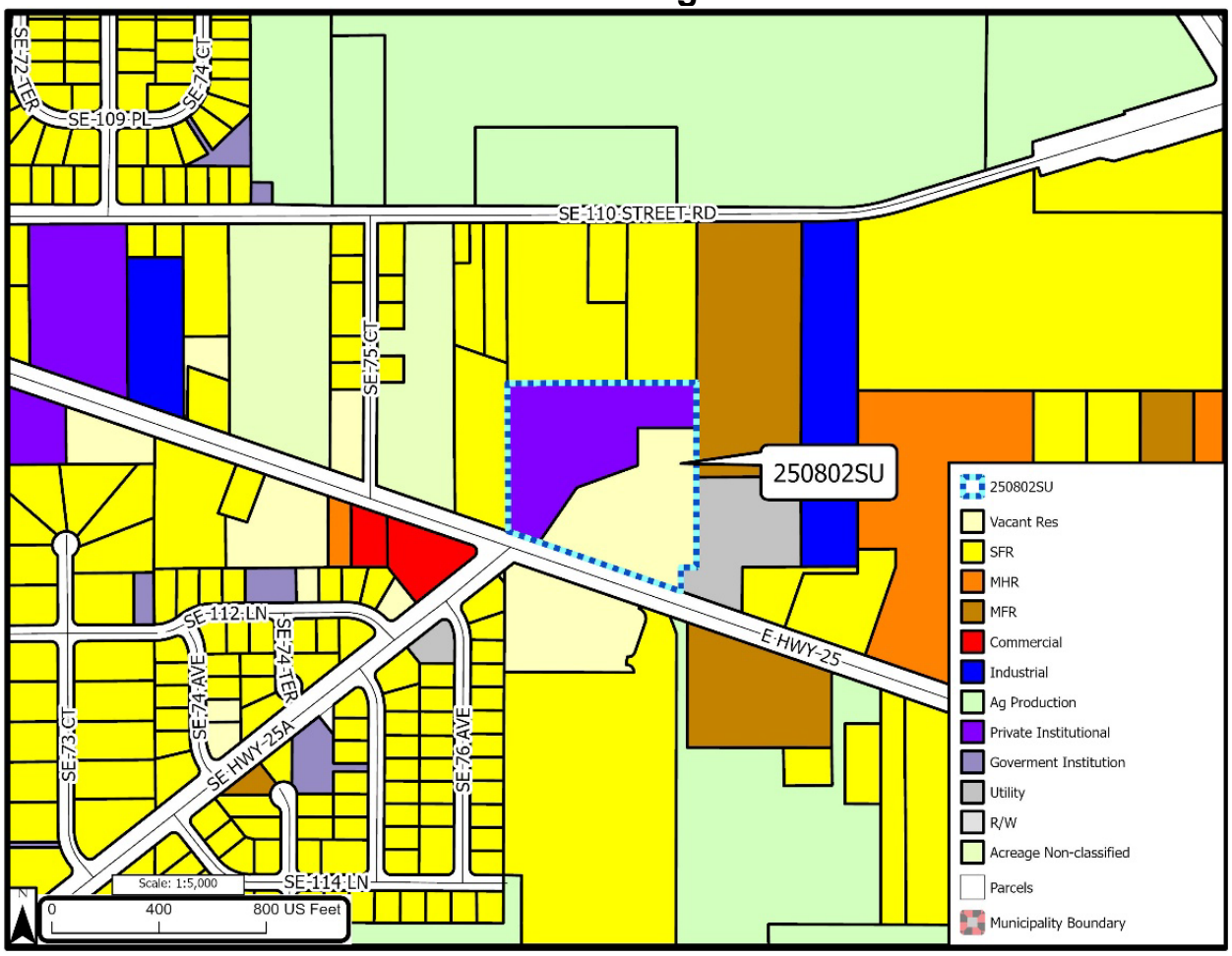
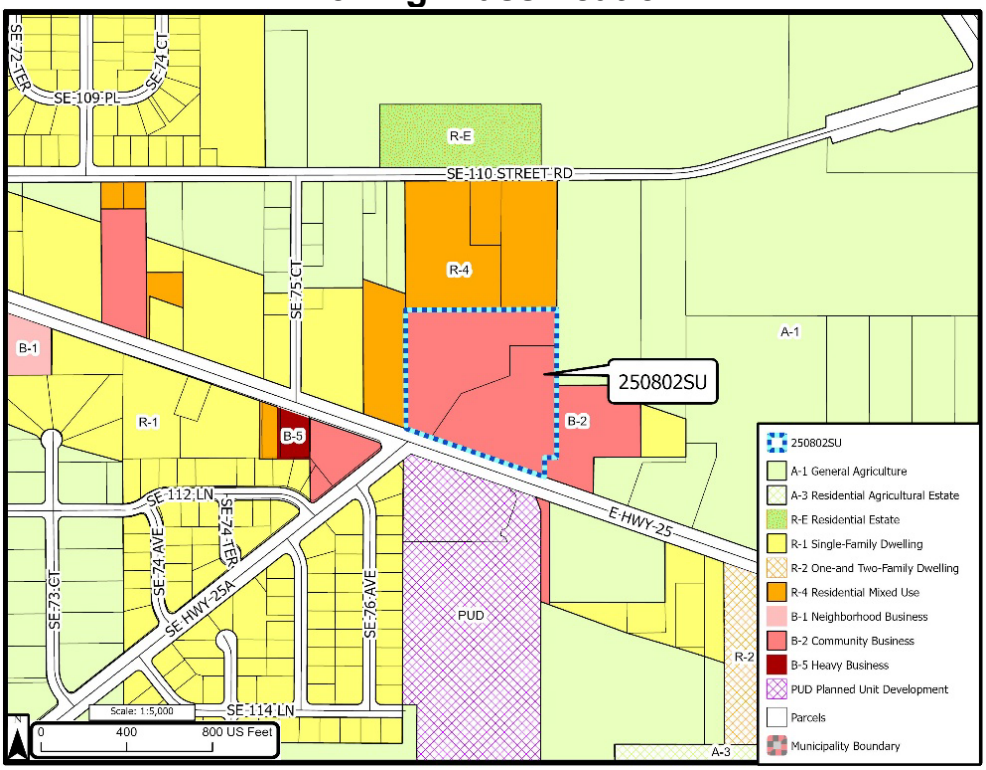


Figure 5
Surrounding Subdivisions

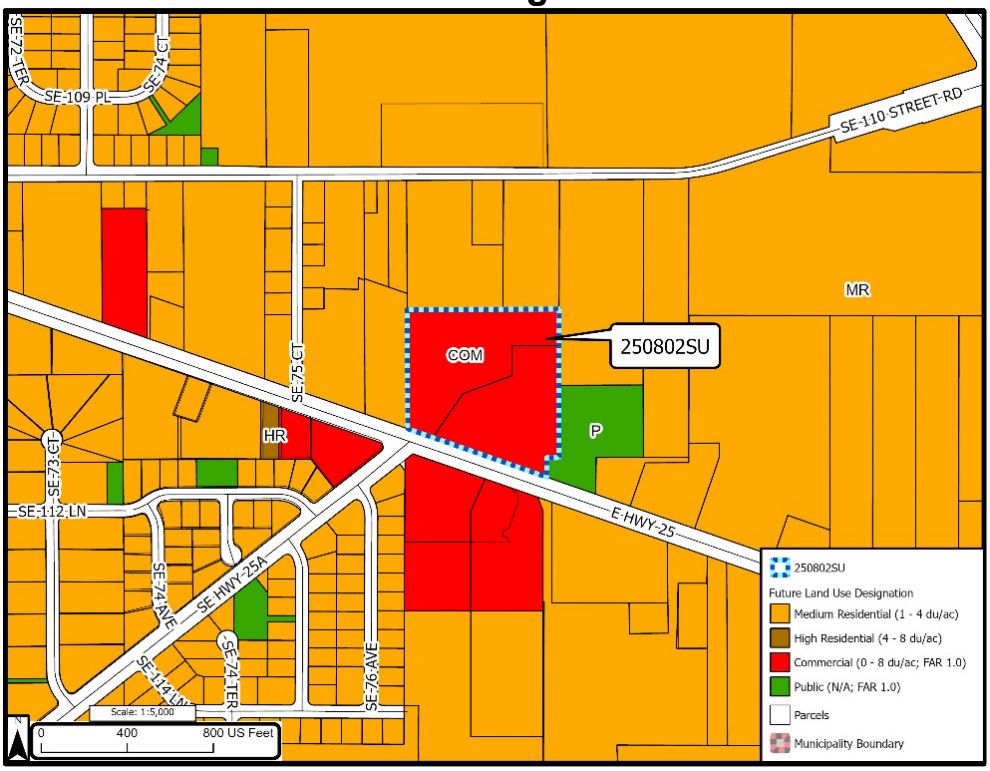
C. *Zoning district map*. Figure 6 shows the subject property, and the surrounding properties are classified as B-2.

Figure 6
Zoning Classification



D. *FLUMS designation.* Figure 7 is the FLUMS and it shows that the subject property is designated Commercial (COM). The abutting properties are Medium Residential (MR) and Public (P).

Figure 7
FLUMS Designations



V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that the SUP addresses nine (9) specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements are addressed below.

A. *Consistency with the Comprehensive Plan*.

1. Policy 2.1.5: **Permitted & Special Uses** – The county shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.

Analysis: The Applicant requests this special use permit to allow for outdoor storage of RVs, boats, trailers, and any ancillary use for vehicle storage in addition to the indoor storage facilities. Mini-storage warehouses are a commercial use permitted by-right under B-2 zoning; however, LDC Section 4.2.18 states that “all commercial activity involving retail sales or rentals shall take place in a completely

enclosed building." Renting a storage space for a customer to store their RVs, boats, or trailers is a commercial activity. Section 4.2.18 does not explicitly list outdoor storage as a special use; however, Section 2.8.1 allows some flexibility by providing that "… any other non-listed use may be considered for approval by a Special Use Permit. The listing of permitted uses in a zoning classification is not meant to be all inclusive."

The Conceptual Site Plan – provided by the Applicant in Attachment A, page A-3, and shown in Figure 2 above – shows the location and standards for the proposed indoor storage and outdoor storage uses.

Based on the items stored, and their storage location being outside, the application is **consistent** with FLUE Policy 2.1.5.

B. *Provision for **ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe*.

Analysis: The Applicant proposes a single access point to the storage facility from intersection of E Hwy 25 and SE Hwy 25A. The proposed access corresponds with the existing driveway improvement located on parcel 39169-000-00. The conceptual plan shows adequate vehicular circulation – the Office of County Engineer and the County's Fire Marshall will review circulation further at the development review stage.

Staff recommends the following condition:

- Site access shall be determined during the Development Review phase of development.

C. *Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area*.

Analysis: Applicant proposes to provide parking on-site as shown in the Conceptual Site Plan. The Applicant does not address how loading and unloading areas for pull-up storage will interact with adjacent outdoor vehicle storage spaces; however, frequent loading and unloading is expected as part of the storage facility uses. It is evident based on the location of buildings and on-site circulation shown in the conceptual plan that the off-street parking and storage loading areas will not affect traffic on Hwy 25 or adjacent properties. Off-street parking and location of loading zones related to the office and storage unit uses will be reviewed based on LDC requirements during Development Review.

Staff recommends the following condition:

- Off-street parking and loading areas on site shall be determined during the Development Review phase of development.

D. *Provisions for **refuse and service area**, with particular reference to the items in (1) and (2) above*.

Analysis: According to the Applicant's Findings of Facts, "refuse and service areas shall be located within the boundaries of the Property and shall be screened from public view." The applicant states that refuse and service areas exist on the site; however, the location of these areas are not shown on their Conceptual Plan.

Staff recommends the following condition:

- Screening for on-site refuse and service areas shall be determined during the Development Review phase of development.

E. *Provision for **utilities**, with reference to locations, availability, and compatibility*.

Analysis: As per the applicant's Findings of Facts, Duke Energy currently provides electrical utilities to the site and additional required utilities associated with future major site plan are available from Duke Energy. Applicant states potable water is serviced by Sunshine Water Services, while fire suppression water and central sewer are not provided on site. The Conceptual Plan shows location of the on-site well and septic drain field which must comply with horizontal spacing and other requirements outlined in Chapter 62-6 of the Florida Administrative Code. Marion County Utilities defers utility notes to the City of Belleview. Marion County Utilities will require a Letter of Availability and Capacity form the City of Belleview at the time of development review (see Attachment C).

Staff recommends the following condition:

- Provision of utilities shall be determined during the Development Review phase of development.

F. *Provision for **screening and buffering** of dissimilar uses and of adjacent properties where necessary*.

Analysis: Buffers are located adjacent to, or parallel with adjacent property lines to protect less dense/intense uses from more dense/intense uses. Buffers are intended to alleviate nuisances like light, noise, and sound. Buffers may consist of one or a combination of existing vegetation, planted vegetation, walls, fences, or berms. Depending on the character of the dissimilar uses, Marion County requires different types of buffers along the property boundaries. Standards for screening are found in LDC Sec. 4.2.15.I.

On the other hand, screens are located internal to the site and where they obstruct direct lines of sight. Screens are intended to minimize the visual impacts of uses such as loading areas and outdoor storage areas. Fencing, walls, berms, trees, or shrubs may be used to satisfy the screening requirements, depending on opacity, height, and other factors. Standards for buffer types are found in LDC Sec. 6.8.6.K.

The Applicant did not present a Finding of Fact that explicitly relates to buffering and screening, however the Conceptual Plan (dated March 2025) shows the

location and dimensions of proposed buffers. The Applicant's written response states "the improvements contemplated in the Conceptual Plan… may be modified pursuant to any final site plan." Staff partially supports this statement. The dimensions and location of the proposed buildings may be modified, except they must continue to act as a buffer wall and provide opaque screening of the outdoor storage from adjacent properties and E Hwy 25, consistent with the LDC.

Regarding buffering, the conceptual plan shows a 20-foot Type B buffer along the west and north property boundaries which host residential uses. A 20-foot Type B buffer is consistent with LDC requirements. If the back-side of the pull-up storage walls facing the adjacent properties do not have windows, staff supports using the building walls to satisfy the Type B buffer wall requirement. In the event there are gaps between the building walls, an opaque vinyl privacy fencing, at least 6-feet in height, shall also be provided in the gaps areas to create the effect of a continuous buffer wall and screen.

The Conceptual Plan calls out a 10-foot Type D buffer along the eastern property boundary, presumably based on the adjacent property's General Agriculture (A-1) zoning. When there is an existing use, buffers are based on the existing use instead of zoning. One of the adjacent eastern parcels is classified as multi-family residential and the other parcel is classified as utility, see Figure 4. Therefore, based on LDC Sec. 6.8.6.K, a combination of a 20-foot Type B buffer along the residential use and 15-foot Type C buffer are required along the public (utility) use. In the conditions below, staff proposes an alternative buffer to use existing trees for the eastern property boundary.

The conceptual plan does not indicate the required Type C buffer along the E Hwy 25 right-of-way and does not indicate a buffer along a portion of the Duke Energy Center property. These omitted buffers are addressed in Staff's conditions below.

Figure 8 provides a visual of where these buffers would be located based on the Conceptual Plan.

Regarding screens, the Conceptual Plan (dated March 2025) does not indicate that a continuous eight (8) foot tall opaque screen – as required by the LDC – will surround the parking areas. If the pull-up storage units facing adjacent properties and streets do not have windows and they are at least 8' tall, then the storage unit walls can be used as screening. However, Figure 8 shows where there are gaps in the screening. Growth Services expects those gaps to be addressed during development review by providing a continuous storage unit wall or supplementing the gaps with an opaque vinyl privacy fencing, at least 6-feet in height. Staff supports reducing the typical height requirement of an 8-foot screen down to a 6-foot screen, contingent on preserving and using existing vegetation for the site's buffers.

Figure 8
Buffer Locations as Described in Conditions

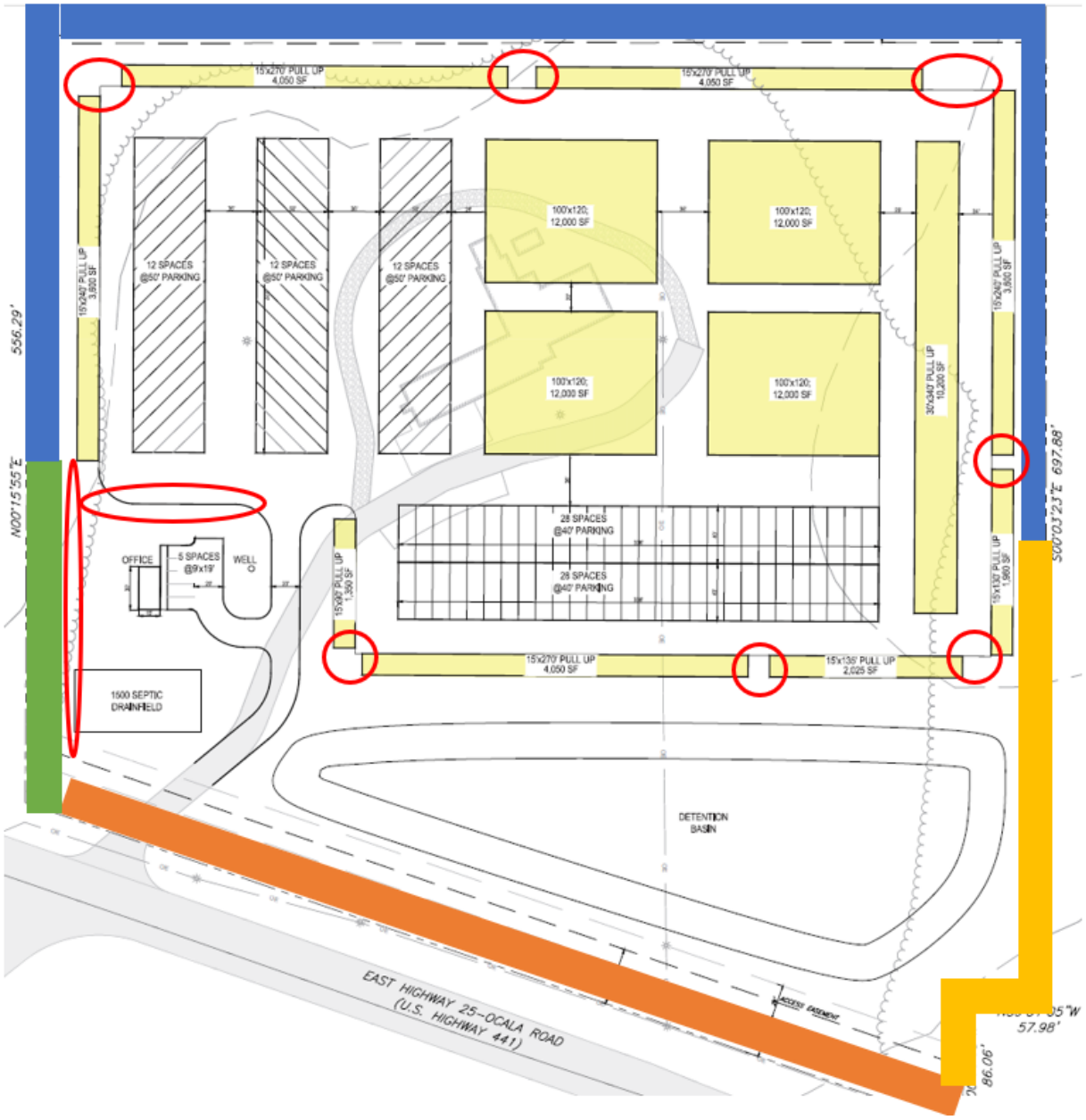


Table 1. Buffer Conditions Key	
	15' Type C Buffer
	20' No Touch Buffer. Fill in gaps w/ Type C plantings if needed
	20' No Touch Buffer w/ continuous wall effect. Fill in gaps w/ Type B plantings if needed
	20' No Touch Buffer w/ opaque vinyl privacy fence in lieu of buffer wall required by Type B
	6' tall (min) opaque vinyl privacy fence

Taking these findings into consideration, staff recommends the following conditions to address screening and buffering:

- The outdoor vehicle storage parking spaces shall be located internal to the site and screened by pull-up / self-storage buildings, consistent with the Concept Plan (Dated 03/2025). The vehicle storage area clusters may be covered as elected by the applicant/owner/developer.
    - In the event that gaps between pull-up / mini-storage buildings are provided to comply with Building/Fire Code requirements, the gaps between the buildings shall be filled with an opaque vinyl privacy fence reaching at least 6-feet in height. The opaque fencing combined with the buildings shall form a continuous screen blocking views from adjacent properties and E Hwy 25.

- Landscape area buffers shall be provided and maintained along the site's boundaries consistent with the following:
    - North, East, and West, where pull-up / self-storage buildings are located and abut existing residential properties – a modified 20' B-Type no-touch buffer. The blank rear-wall of the storage building(s) and fencing outlined in condition 3.a shall serve as the required buffer wall. The storage buildings and fences shall be located on the perimeter of the development area with the outdoor storage being internal to the storage buildings. Viable existing buffer vegetation, as confirmed by a Landscape Architect or Certified Arborist, shall be left in place and each viable tree's Critical Root Zone shall be adequately protected during site grading and development. Any gaps in existing buffer vegetation that do not meet B-Type buffer LDC requirements shall be planted per code.
    - West, where pull-up / self-storage buildings are not located and where there is an adjacent existing residential property – a modified 20' B-type no-touch buffer. There shall be an opaque vinyl privacy fence reaching at least 6-feet in height running parallel with the preserved trees. Viable existing buffer vegetation, as confirmed by a Landscape Architect or Certified Arborist, shall be left in place and each viable tree's Critical Root Zone shall be adequately protected during site grading and development. Any gaps in existing buffer vegetation that do not meet B-Type buffer LDC requirements shall be planted per code.
    - East, where pull-up / self-storage buildings are not located and where there is an adjacent public use – a 20' no-touch buffer. Viable existing buffer vegetation, as confirmed by a Landscape Architect or Certified Arborist, shall be left in place and each viable tree's Critical Root Zone shall be adequately protected during site grading and development. Any gaps in existing buffer vegetation shall be planted and maintained according to the LDC.
    - South, along E Hwy 25 – a 15' C-Type buffer, per LDC requirements.

- No trees shall be removed from the property prior to obtaining Development Review Committee site plan approval.

G. *Provision for **signs**, if any, **and exterior lighting** with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area*.

Analysis: According to the applicant's Findings of Facts, no signage currently exists on site and the Applicant does not propose signage at this time. However, the Applicant suggests an on-site sign may be considered in the future, as allowed by the LDC. The Applicant did not address exterior lighting in their Findings of Facts.

Staff recommends the following condition:

- Exterior lighting shall comply with applicable sections of the LDC and shall be designed and located to minimize glare, maintain traffic safety, and ensure compatibility with adjacent uses.

H. *Provision for **required yards and other green space***.

Analysis: The conceptual plan shows one drainage retention area are proposed on the site. At time of development review, the site plan shall be required to comply with standards for yard setback, open space, and Marion Friendly Landscaping Area.

Staff does not recommend any conditions.

I. *Provision for general **compatibility** with adjacent properties and other properties in the surrounding area*.

Analysis: Compatibility is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, as "*a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*"

The proposed special use on B-2 zoning is somewhat compatible with the adjacent residential properties and it is compatible with the E Hwy 25's "Collector" roadway classification. Marion County's LDC provides requirements for buffers, screens, lighting, access management and other site/use factors to mitigate negative impacts on adjacent and surrounding uses.

Staff recommends the conditions provided in Section V.F of this report to mitigate issues of compatibility between the proposed use for outdoor storage of vehicles and adjacent properties.

J. *Provision for meeting any **special requirements** required by the site analysis for the particular use involved*.

Analysis: Staff notes that unlike a variance, which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. The subject property will require a site plan review before additional impervious development commences. The site plan will ensure that the development is consistent with the Land Development Code.

Staff recommends the following conditions:

- The project shall be developed consistent with the conditions outlined herein and with the project Concept Plan (Dated 03/2025). The outdoor storage parking use shall be limited to RVs, boats, trailers, or any licensed and registered vehicle.
    - The parking of refrigerated tractor-trailer units, running/idling tractor-trailer cab units, and/or similar vehicles requiring continuous or cyclical operation to maintain particular vehicle conditions are prohibited in the facility.
- The Special Use Permit shall not have a time-based expiration date and shall run with the property.
- Expansion of the mini-storage facility consistent with the overall site's zoning is permitted. Outdoor parking may not take place on the expansion unless there are revisions to the LDC or a Special Use Permit (or then equivalent) is obtained.

VI. ALTERNATIVE RECOMMENDATIONS

A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to **DENY** the special use permit amendment.

B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.

C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to the Board of County Commissioners to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

A. Staff recommends the Planning and Zoning Commission enter into the record the Staff Report and all other competent substantial evidence presented at the hearing and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE WITH CONDITIONS** the special use permit.

B. To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are imposed in the event that the Board chooses to agree with staff recommendation and approve the special use with conditions:

1. The project shall be developed consistent with the conditions outlined herein and with the project's Concept Plan (Dated 03/2025). The outdoor storage parking use shall be limited to RVs, boats, trailers, or any licensed and registered vehicle.
    a. The parking of refrigerated tractor-trailer units, running/idling tractor-trailer cab units, and/or similar vehicles that require continuous or periodic engine operation to maintain particular vehicle conditions are prohibited on the site.

2. Site access shall be determined during the Development Review phase of development.

3. The outdoor vehicle storage parking spaces shall be located internal to the site and predominantly screened by pull-up / self-storage buildings, consistent with the Concept Plan (Dated 03/2025). The vehicle storage area clusters may be covered as elected by the applicant/owner/developer.
    a. In the event that gaps between pull-up / mini-storage buildings are provided to comply with Building/Fire Code requirements, the gaps between the buildings shall be filled with an opaque vinyl privacy fence reaching at least 6-feet in height. The opaque fencing combined with the buildings shall form a continuous screen blocking views from adjacent properties and E Hwy 25.

4. Landscape area buffers shall be provided and maintained along the site's boundaries consistent with the following:
    a. North, East, and West, where pull-up / self-storage buildings are located and abut existing residential properties – a modified 20' B-Type no-touch buffer. The blank rear-wall of the storage building(s) and fencing outlined in condition 3.a shall serve as the required buffer wall. The storage buildings and fences shall be located on the perimeter of the development area with the outdoor storage being internal to the storage buildings. Viable existing buffer vegetation, as confirmed by a Landscape Architect or Certified Arborist, shall be left in place and each viable tree's Critical Root Zone shall be adequately protected during site grading and development. Any gaps in existing buffer vegetation that do not meet B-Type buffer LDC requirements shall be planted per code.

b. West, where pull-up / self-storage buildings are not located and where there is an adjacent existing residential property – a modified 20' B-type no-touch buffer. There shall be an opaque vinyl privacy fence reaching at least 6-feet in height running parallel with the preserved trees. Viable existing buffer vegetation, as confirmed by a Landscape Architect or Certified Arborist, shall be left in place and each viable tree's Critical Root Zone shall be adequately protected during site grading and development. Any gaps in existing buffer vegetation that do not meet B-Type buffer LDC requirements shall be planted per code.
c. East, where pull-up / self-storage buildings are not located and where there is an adjacent public use – a 20' no-touch buffer. Viable existing buffer vegetation, as confirmed by a Landscape Architect or Certified Arborist, shall be left in place and each viable tree's Critical Root Zone shall be adequately protected during site grading and development. Any gaps in existing buffer vegetation shall be planted and maintained according to the LDC.
d. South, along E Hwy 25 – a 15' C-Type buffer.

5. No trees shall be removed from the property prior to obtaining Development Review Committee site plan approval.

6. Provision of utilities shall be determined during the Development Review phase of development.

7. Screening for on-site refuse and service areas shall be determined during the Development Review phase of development.

8. Exterior lighting shall comply with applicable sections of the LDC and shall be designed and located to minimize glare, maintain traffic safety, and ensure compatibility with adjacent uses.

9. The Special Use Permit shall not have a time-based expiration date and shall run with the property.

10. Expansion of the mini-storage facility consistent with the overall site's zoning is permitted. Outdoor parking may not take place on the expansion unless there are revisions to the LDC or a new Special Use Permit (or then equivalent) is obtained.

VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

To be determined.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

A. SUP application.
B. Surrounding Property Notification
C. DRC Comments
D. Site and Surrounding Area Photos
E. Conceptual Site Plans

Docusign Envelope ID: 0F665EF7-DF95-473F-B5CC-500B806071A6

Marion County
Board of County Commissioners

Growth Services • Planning & Zoning

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

STAFF/OFFICE USE ONLY	
Case No.:	
AR No.:	
PA:	

__ New or Modification $1,000
__ Expired $1,000
__ Renewal (no changes) $300

SPECIAL USE PERMIT APPLICATION

The undersigned hereby requests a Special Use Permit in accordance with Marion County Land Development Code, Articles 2 and 4, for the purpose of: Outdoor storage of RVs, boats, trailers, and any ancillary use for vehicle storage

Property/Site Address: 7655 E HWY 25 BELLEVIEW, FL 34420

Property Dimensions: _____ **Total Acreage:** 11 (both parcels)

Legal Description: (Please attach a copy of the deed and location map.) **Parcel Zoning:** B-2

Parcel Account Number(s): 39169-000-00, 39169-003-00

Each property owner(s) MUST sign this application or provide written authorization naming the applicant or agent below to act on their behalf. **Please print all information, except for the Owner and Applicant/Agent *signature*. If multiple owners or applicants, please use additional pages.**

PARTNERS SELF STORAGE, LLC	ETHAN A. WHITE, ESQ. (AGENT) (KLEIN & KLEIN, PLLC)
Property Owner Name (please print)	**Applicant or Agent Name (please print)**
315 CHRISTINE LN	40 SE 11TH AVENUE
Mailing Address	**Mailing Address**
CLAYTON, DE 19938-3604	OCALA, FL 34471
City, State, Zip Code	**City, State, Zip Code**
(302) 248-3633	(352)732-7750
Phone Number (include area code)	**Phone Number (include area code)**
partners@partnersselfstorage.com	ethan@kleinandkleinpa.com
E-Mail Address (include complete address)	**E-Mail Address (include complete address)**
Joseph Stant	Ethan White
Signatures*	***Signatures***

*By signing this application, applicant hereby authorizes Growth Services to enter onto, inspect, and traverse the property indicated above, to the extent Growth Services deems necessary, for the purposes of assessing this application and inspecting for compliance with County ordinance and any applicable permits.

STAFF/OFFICE USE ONLY				
Project No.: 2003 07 0015	*Code Case No.:*		*Application No.:*	
Rcvd by: EM	*Rcvd Date:* 4/28/25	*FLUM:* COM	*AR No.:* 32795	*Rev:* 10/20/21

Please note: The Special Use Permit will not become effective until after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent must be present at the public hearing to represent this application. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is non-refundable.

For more information, please contact the Zoning Division at 352-438-2675.

FINDINGS OF FACT

1. Ingress and egress to and from the Property will be provided at the intersection of E Hwy 25 and SE Hwy 25A in accordance with the attached Conceptual Plan and which corresponds to the currently existing improvements of the subject property identified under Marion County Parcel Identification Numbers 39169-000-00 and 39169-003-00 (the "Parcels" or the "Property").

2. Parking and loading areas will be addressed within the boundaries of the Property on those areas identified in the Conceptual Plan and which corresponds to the contemplated improvements on the Parcels. Storage areas are identified in the Conceptual Plan and are subject to further modification by final site plan.

3. Refuse and service areas shall be located within the boundaries of the Property and shall be screened from public view. Refuse and service areas are both already constructed as part of the currently existing improvements on the Parcel.

4. Required electrical utilities are currently available through Duke Energy and are provided along the relevant portion of E Hwy 25. The Property and improvements are currently serviced by Sunshine in so far as potable water, but not public sewer or fire suppression water; water and sanitary sewer is subject to Marion County's decision to service or not service the Property.

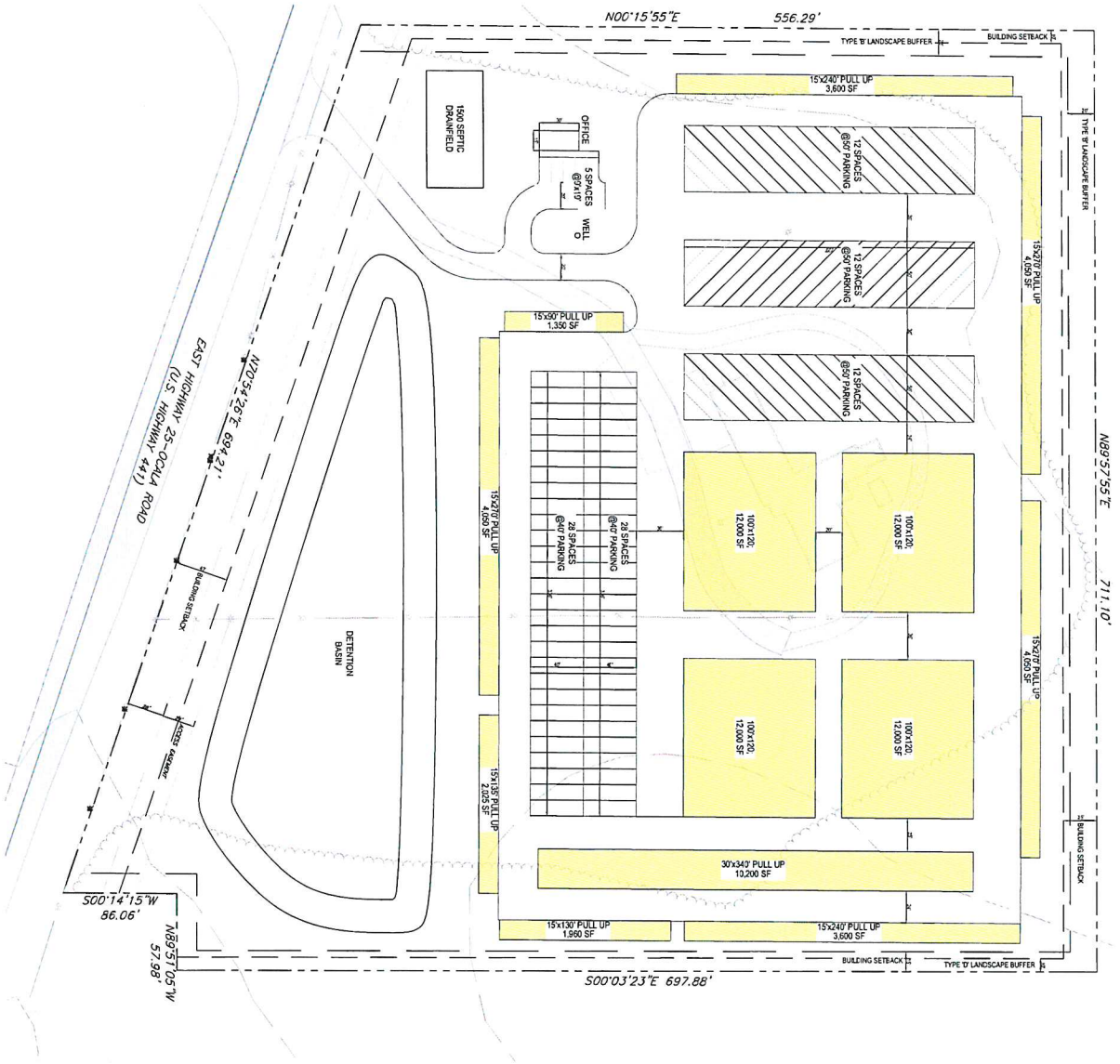
5. Parcel 39169-000-00 is currently improved with a structure. However, Applicant will be demolishing the current improvements and replacing them with the improvements contemplated in the Conceptual Plan and as may be modified pursuant to any final site plan.

6. There is currently no permanent signage on the Property (the "Main Building"). However, Applicant may contemplate signage adjacent to E Hwy 25 subject to requirements per code and any modifications to a final site plan.

7. Any bushes, landscaping, or green spaces shall be maintained per code and subject to modification in any final site plan.

8. The intended use is not incompatible with surrounding uses and zoning. The requested Special Use Permit will simply allow for the outdoor storage of vehicles in the areas designated on the Conceptual Plan and as modified by final site plan.

9. To the applicant's knowledge, there are no special conditions necessary for the intended use beyond the special use permit itself.



SITE DATA

PARCEL ID#	3910E000501 & 3910H000300
PROJECT AREA	11.0 ACRES (479,312 SF)
PROPOSED USE	SELF STORAGE UNITS

ZONING REQUIREMENTS - B-2 (COMMUNITY BUSINESS DISTRICT)

SITE SETBACKS	REQUIRED	PROVIDED
FRONT	40 FT	LANDSCAPE BUFFER
SIDE	10 FT	WEST 20 FT / EAST 10 FT
REAR	25 FT	20 FT
BUILDING HEIGHT	35 FT	VARIES
LANDSCAPE BUFFER	VARIES	

BUILDINGS	
ALL STORAGE	48,000 SF
ALL STORAGE	34,560 SF
OFFICE	450 SF

PARKING:	
12'x30'	48 SPACES
12'x30'	36 SPACES
10'x20'	5 SPACES

SCALE: 1" = 40'

NORTH

C1	SHEET NUMBER	26-24-100	PROJECT NO.	03/25	DATE	SELF STORAGE PROJECT 7655 EAST HIGHWAY 25 CITY OF BELLEVIEW, FL 34420 MARION COUNTY FLORIDA	CONCEPT 1

SCALE	AS NOTED	DESIGN ENGINEER:	GREGORY T. CHATELAIN, P.E.
DESIGNED BY	GTC	FLORIDA REGISTRATION NUMBER:	90573
DRAWN BY	GTC	SEAL	
CHECKED BY	GTC		

CHATELAIN ENGINEERING

No.	REVISIONS	DATE	BY

Prepared by and return to:

Laura M. Ferris
Commercial Escrow Officer
Old Republican National Title Insurance Company
1410 N. Westshore Blvd., Suite 800
Tampa, FL 33607

Parcel Identification Nos.: 39169-000-00
39169-003-00

SPECIAL WARRANTY DEED

THIS INDENTURE is made this 20th day of June, 2024 by and between **JAMES FLEMING** and **JENNIFER LENORE FLEMING**, husband and wife (hereinafter called "**Grantor**"), whose address is P.O. Box 701, Marshall, Michigan 49068 and **PARTNERS SELF STORAGE, LLC** a Delaware limited liability company (hereinafter called "**Grantee**"), whose address is 315 Christine Lane, Clayton, Delaware 19938.

WITNESSETH

The Grantor, for and in consideration of the sum of Ten Dollars ($10.00), to it in hand paid by the Grantee, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold and does hereby grant, bargain and sell to Grantee the following described real estate, situated, lying and being in the County of Marion, State of Florida, more particularly described on Exhibit A attached hereto and made a part hereof.

THIS CONVEYANCE is subject to: (a) taxes and assessments for the year 2024 and subsequent years; (b) all laws, ordinances, regulations, restrictions, prohibitions and other requirements imposed by governmental authority, including, but not limited to, all applicable building, zoning, land use and environmental ordinances and regulations; and (c) those matters set forth on Exhibit B attached hereto and incorporate herein by reference.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the improvements, licenses, tenements, hereditaments, easements and appurtenances thereto belonging or in anywise appertaining unto Grantee, its successors and assigns in fee simple forever.

Grantor hereby specially warrants the title to the aforesaid real estate and will defend same against the lawful claims of all persons claiming by, through or under Grantor, but no others.

(When used herein the terms "Grantor" and "Grantee" shall be construed to include, masculine, feminine, singular or plural as the context permits or requires, and shall include heirs, personal representatives, successors or assigns.)

IN WITNESS WHEREOF, the Grantor has caused this Indenture to be executed in its name and caused its seal to be affixed as of the day and year first above written.

GREGORY C HARRELL CLERK & COMPTROLLER MARION CO
CFN# 2024080769 BK 8353 Pgs 0514-0517 06/20/2024 05:39:30 PM
REC FEE 35.50 INDEX DEED DOC 4,270.00

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed in its name as of the day and year first above written.

Signed and sealed in the presence of:

Signature of Witness #1

JAMES FLEMING

Silveria Luna-Stepp
Typed or Printed Name of Witness #1

Address #1: 839 W Green St
Marshall MI 49068

Signed and sealed in the presence of:

Signature of Witness #2

JENNIFER LENORE FLEMING

Chelsea Norris
Typed or Printed Name of Witness #2

Address #2: 839 W. Green St
Marshall MI 49068

THE STATE OF MICHIGAN

COUNTY OF Calhoun

The foregoing instrument was acknowledged before me, by means of □ physical presence or □ online notarization, on the 15 day of June, 2024, by JAMES FLEMING and JENNIFER LENORE FLEMING, husband and wife. They are personally known to me or produced Driver License as identification.

Andrea Smith
Notary Public, State of Michigan
Commission Expires: 05-06-2027
Andrea Smith
Printed/Typed Name
□

ANDREA SMITH
Notary Public, State of Michigan
County of Calhoun
My Commission Expires May 06, 2027
Acting in the County of Calhoun

EXHIBIT A TO SPECIAL WARRANTY DEED

TITLE DESCRIPTION – To be Insured

Commence at a point on the West boundary of the East ½ of the Northwest ¼ of the Northeast ¼ of Section 32, Township 16 South, Range 23 East, South 0 degrees 18 minutes 00 seconds West 630 feet from the Northwest corner of said East ½ of the Northwest ¼ of the Northeast ¼ for a Point of Beginning. Thence East 711.06 feet to the West boundary of Florida Power Corporation Easement as recorded in Official Records Book 256, Page 286, Public Records of Marion County, Florida, thence South 0 degrees 01 minutes 18 seconds East, 697.88 feet to the South boundary of the West ½ of the Northeast ¼ of the Northeast ¼ of said Section, thence North 89 degrees 49 minutes 00 seconds West along said South boundary 57.98 feet, thence South 0 degrees 16 minutes 20 seconds West along the East boundary of the East ½ of the Southwest ¼ of the Northeast ¼ of said Section 86.06 feet to the North right-of-way line of Alt. U.S. Highway 441, thence North 70 degrees 52 minutes 21 seconds West along said right-of-way line 694.21 feet, thence North 00 degrees 18 minutes 00 seconds East along the West boundary of the East ½ of the Northwest ¼ of the Northeast ¼ of said Section a distance of 555.29 feet to the Point of Beginning. All being in Marion County, Florida.

ALSO DESCRIBED AS:
Known as 7655 East Highway 25, Belleview, Marion County, Florida, Parcel No. 39169-000-00 and 39169-003-00, being more particularly descried as follows:

Beginning at a found ½" iron rod, said iron rod being a common corner for the property herein described and the property now or formerly owned by Joel Evan Hancock, Parcel No. 39169-002-00; thence North 89°57'55" East a distance of 711.10 feet to a concrete monument, said concrete monument being a common corner for the property herein described and the property now or formerly owned by Gwendolyn H. Varnum, Parcel No. 39169-001-00; thence South 00°03'23" East a distance of 697.88 feet to a found ½" iron rod; thence North 89°51'05" West a distance of 57.98 feet to a concrete monument; thence South 00°14'15" West a distance of 86.06 feet to a concrete monument located in the Northern right of way of East Highway 25 (U.S. Highway 441), said concrete monument being a common corner for the property herein described and the property now or formerly owned by Duke Energy Center, Parcel No. 39171-001-00; thence, along the northern right of way of East Highway 25 (U.S. Highway 441), North 70° 54'26" West a distance of 694.21 feet to a concrete monument, said concrete monument being a common corner for the property herein described and the property now or formerly owned by Peter John Carpenter, Parcel No. 39200-000-00; thence North 00°15'55" East a distance of 556.29 feet to the Point and Place of Beginning; and containing 11.003 acres more or less, all as according to that certain 2021 ATLA/NSPS Land Title Survey, entitled "Proposed Storage Site, Site Address 7655 East Highway 25, City of Belleview, Marion County, Florida 34420", dated May 1, 2024, revised May 7, 2024, revised May 8, 2024, revised May 15, 2024, and revised May 16, 2024, by Southern Geomatics Services, LLC and Alfred J. Kesler, Professional Surveyor & Mapper #6947

GREGORY C HARRELL MARION COUNTY FL
CFN# 2024080769 OR BK 8353 PG 516 Pgs 0514-0517 06/20/2024 05:39:30 PM

EXHIBIT B

1. General or special taxes and assessments required to be paid in the year 2024 and subsequent years.

2. Terms and conditions of that certain Public Ingress and Egress Easement in favor of Marion County, recorded in O.R. Book 4173, Page 1359.

3. Terms and conditions of that certain Covenant for Sidewalk Development recorded in O.R. Book 4173, Page 1355.

4. Terms and conditions of that certain Covenant for Paving Parallel Access Road recorded in O.R. Book 4173, Page 1357.

5. Matters of that certain survey prepared by Southern Geomatics Services, Job No. 24-108, dated 05/01/2024, to include:

    a) Overhead utility easement running over, through and across the subject property.

GREGORY C HARRELL MARION COUNTY FL
CFN# 2024080769 OR BK 8353 PG 517 Pgs 0514-0517 06/20/2024 05:39:30 PM

LEGAL DESCRIPTION OF PARCELS

Commence at a point on the West boundary of the East ½ of the Northwest ¼ of the Northeast ¼ of Section 32, Township 16 South, Range 23 East, South 0 degrees 18 minutes 00 seconds West 630 feet from the Northwest corner of said East ½ of the Northwest ¼ of the Northeast ¼ for a Point of Beginning. Thence East 711.06 feet to the West boundary of Florida Power Corporation Easement as recorded in Official Records Book 256, Page 286, Public Records of Marion County, Florida, thence South 0 degrees 01 minutes 18 seconds East, 697.88 feet to the South boundary of the West ½ of the Northeast ¼ of the Northeast ¼ of said Section, thence North 89 degrees 49 minutes 00 seconds West along said South boundary 57.98 feet, thence South 0 degrees 16 minutes 20 seconds West along the East boundary of the East ½ of the Southwest ¼ of the Northeast ¼ of said Section 86.06 feet to the North right-of-way line of Alt. U.S. Highway 441, thence North 70 degrees 52 minutes 21 seconds West along said right-of-way line 694.21 feet, thence North 00 degrees 18 minutes 00 seconds East along the West boundary of the East ½ of the Northwest ¼ of the Northeast ¼ of said Section a distance of 555.29 feet to the Point of Beginning. All being in Marion County, Florida.

ALSO DESCRIBED AS:
Known as 7655 East Highway 25, Belleview, Marion County, Florida, Parcel No. 39169-000-00 and 39169-003-00, being more particularly descried as follows:

Beginning at a found ½" iron rod, said iron rod being a common corner for the property herein described and the property now or formerly owned by Joel Evan Hancock, Parcel No. 39169-002-00; thence North 89°57'55" East a distance of 711.10 feet to a concrete monument, said concrete monument being a common corner for the property herein described and the property now or formerly owned by Gwendolyn H. Varnum, Parcel No. 39169-001-00; thence South 00°03'23" East a distance of 697.88 feet to a found ½" iron rod; thence North 89°51'05" West a distance of 57.98 feet to a concrete monument; thence South 00°14'15" West a distance of 86.06 feet to a concrete monument located in the Northern right of way of East Highway 25 (U.S. Highway 441), said concrete monument being a common corner for the property herein described and the property now or formerly owned by Duke Energy Center, Parcel No. 39171-001-00; thence, along the northern right of way of East Highway 25 (U.S. Highway 441), North 70° 54'26" West a distance of 694.21 feet to a concrete monument, said concrete monument being a common corner for the property herein described and the property now or formerly owned by Peter John Carpenter, Parcel No. 39200-000-00; thence North 00°15'55" East a distance of 556.29 feet to the Point and Place of Beginning; and containing 11.003 acres more or less, all as according to that certain 2021 ATLA/NSPS Land Title Survey, entitled "Proposed Storage Site, Site Address 7655 East Highway 25, City of Belleview, Marion County, Florida 34420", dated May 1, 2024, revised May 7, 2024, revised May 8, 2024, revised May 15, 2024, and revised May 16, 2024, by Southern Geomatics Services, LLC and Alfred J. Kesler, Professional Surveyor & Mapper #6947

Detail by Entity Name

Foreign Limited Liability Company
PARTNERS SELF STORAGE, LLC

Filing Information

Document Number	M24000015057
FEI/EIN Number	88-3596281
Date Filed	12/03/2024
State	DE
Status	ACTIVE

Principal Address

315 CHRISTINE LANE
CLAYTON, DE 19938

Mailing Address

315 CHRISTINE LANE
CLAYTON, DE 19938

Registered Agent Name & Address

STANT, JOSEPH
45 FALLING WATER CT
PONTE VEDRA, FL 32081

Authorized Person(s) Detail

Name & Address

Title MGR

STANT, JOSEPH
45 FALLING WATER CT
PONTE VEDRA, FL 32081

Annual Reports

Report Year	Filed Date
2025	02/08/2025

Document Images

02/08/2025 -- ANNUAL REPORT	View image in PDF format
12/03/2024 -- Foreign Limited	View image in PDF format

Jimmy H. Cowan, Jr., CFA

Marion County Property Appraiser

501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card

Real Estate

39169-000-00

GOOGLE Street View

Prime Key: 951595 MAP IT+ Current as of 4/28/2025

Property Information

PARTNERS SELF STORAGE LLC
315 CHRISTINE LN
CLAYTON DE 19938-3604

Taxes / Assessments:
Map ID: 236
Millage: 9001 - UNINCORPORATED

M.S.T.U.
PC: 77
Acres: 6.00

Situs: 7655 E HWY 25 BELLEVIEW

2024 Certified Value

Land Just Value	$94,446
Buildings	$361,574
Miscellaneous	$10,161
Total Just Value	$466,181
Total Assessed Value	$466,181
Exemptions	$0
Total Taxable	$466,181

Ex Codes:

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$94,446	$361,574	$10,161	$466,181	$466,181	$0	$466,181
2023	$64,746	$353,264	$11,139	$429,149	$429,149	$0	$429,149
2022	$64,746	$300,889	$11,250	$376,885	$376,885	$376,885	$0

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
8353/0514	06/2024	06 SPECIAL WARRANTY	8 ALLOCATED	Q	I	$610,000
7798/0226	06/2022	07 WARRANTY	8 ALLOCATED	U	I	$450,000
4173/1359	09/2005	09 EASEMNT	0	U	I	$100
1528/0172	04/1988	05 QUIT CLAIM	0	U	I	$100
1468/1156	12/1987	07 WARRANTY	4 V-APPRAISERS OPINION	Q	I	$150,000

Property Description

SEC 32 TWP 16 RGE 23
COM AT THE NW COR OF E 1/2 OF NW 1/4 OF NE 1/4 OF SEC 32 TH
S 630 FT TO THE POB TH E 711.06 FT TH S 697.88 FT TH W 57.98
FT TH S 85.06 FT TH N 70-52-21 W 694.21 FT TH N 555.29 FT TO

THE POB
EXC COM AT A PT ON THE W BNDY OF E 1/2 OF NW 1/4 OF NE 1/4
OF SEC 32 TH S 00-18-00 W 630 FT TH E 711.06 FT TH S 00-01-18 E
172.82 FT TO THE POB TH CONT S 00-01-18 E 525.06 FT TH
N 89-49 W 57.98 FT TH S 00-16-20 W 85.06 FT TH N 70-52-21 W
559.77 FT TH N 34-34-31 E 247.77 FT TH N 69-56-00 E 241.66 FT TH
N 00-01-18 W 139.50 FT TH N 89-58-42 E 219.51 FT TO THE POB

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
7720		700.0	200.0	B2	3.21	AC						
9902		.0	.0	B2	2.79	AC						

Neighborhood 8179 - E HIGHWAY 25 - NOT COMMERCIAL
Mkt: 10 70

Traverse

Building 1 of 1
COM01=R53D1R12U1R33U3R11U9R50U40L38U12L12U6R4U4L4U9L4U7L20D7L2D51L83D13L6D6R6D13.R53
CAN02=D1R12U1R7D6L24D2L2D21L8U21L2U8R17.L53U32R33
CAN03=U4R19D4L19.R50U51R2U7R20D7R4D19R12D12
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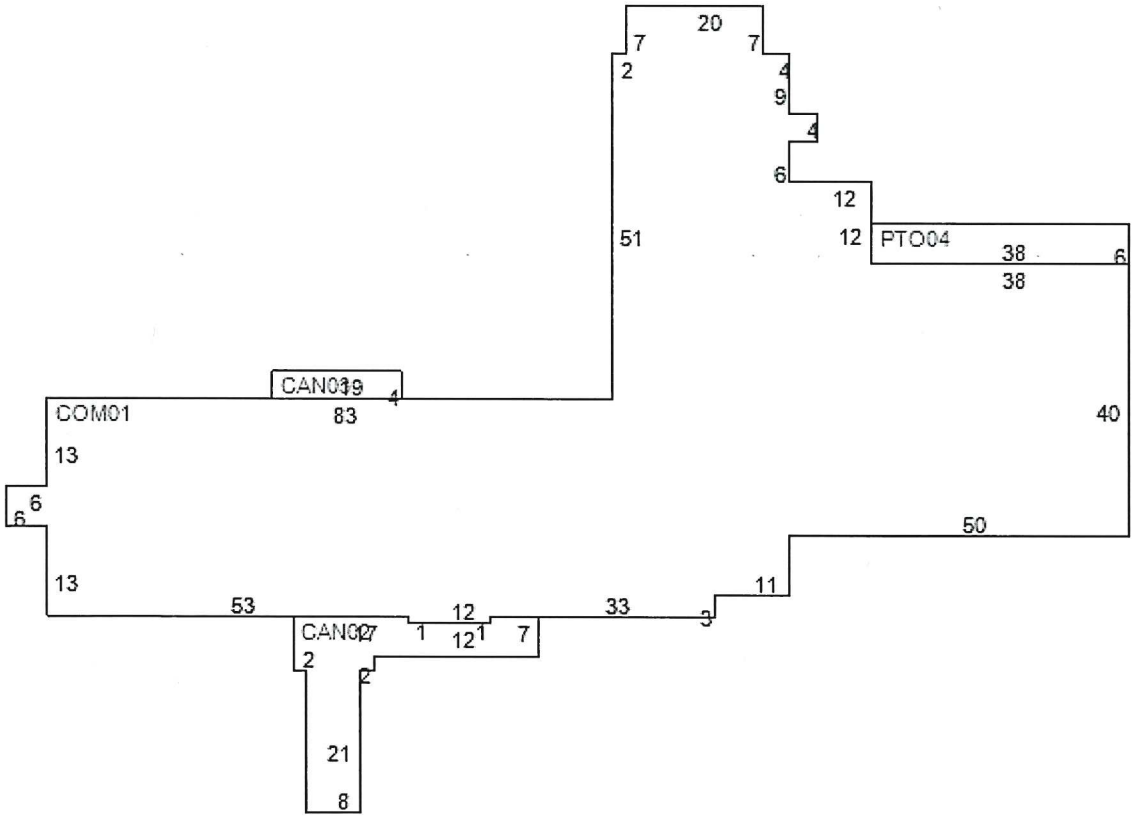


Building Characteristics

Structure	4 - MASONRY NO PILAST	**Year Built**	1978
Effective Age	6 - 25-29 YRS	**Physical Deterioration**	0%
Condition	2	**Obsolescence: Functional**	0%
Quality Grade	500 - FAIR	**Obsolescence: Locational**	0%
Inspected on	4/24/2024 by 253	**Base Perimeter**	520

Exterior Wall 32 CONC BLK-STUCO24 CONC BLK-PAINT38 WD SIDING-SHTG34 WD FRAME-STUCO

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	8.5	1.00	1978	0	7,129	M77 CLUB/HALL/LODGE	100 %	N	Y
2	8.0	1.00	1978	0	396	CAN CANOPY-ATTACHD	100 %	N	N
3	8.0	1.00	1978	0	76	CAN CANOPY-ATTACHD	100 %	N	N
4	1.0	1.00	1978	0	228	PTO PATIO	100 %	N	N

Section: 1

Elevator Shafts: 0	**Aprtments:** 0	**Kitchens:** 1	**4 Fixture Baths:** 2	**2 Fixture Baths:** 0
Elevator Landings: 0	**Escalators:** 0	**Fireplaces:** 0	**3 Fixture Baths:** 3	**Extra Fixtures:** 12

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width
190 SEPTIC 1-5 BTH	1.00	UT	99	1978	2	0.0	0.0
256 WELL 1-5 BTH	1.00	UT	99	1978	2	0.0	0.0
GAZ GAZEBO	196.00	SF	40	1980	2	14.0	14.0
144 PAVING ASPHALT	12,536.00	SF	5	1989	3	0.0	0.0
159 PAV CONCRETE	1,315.00	SF	20	1989	3	0.0	0.0

Appraiser Notes

FKA:SILVER SPRINGS SHORES ELKS LODGE #2730.

Planning and Building
** Permit Search **

Permit Number	Date Issued	Date Completed	Description
M090221	9/1/2003	1/1/2005	ADDITION

Jimmy H. Cowan, Jr., CFA

Marion County Property Appraiser

501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card

Real Estate

39169-003-00

Prime Key: 3829166 MAP IT+ Current as of 4/28/2025

Property Information

PARTNERS SELF STORAGE LLC
315 CHRISTINE LN
CLAYTON DE 19938-3604

Taxes / Assessments:
Map ID: 236
Millage: 9001 - UNINCORPORATED

M.S.T.U.
PC: 00
Acres: 5.00

2024 Certified Value

Land Just Value	$53,955
Buildings	$0
Miscellaneous	$0
Total Just Value	$53,955
Total Assessed Value	$53,955
Exemptions	$0
Total Taxable	$53,955

Ex Codes:

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$53,955	$0	$0	$53,955	$53,955	$0	$53,955
2023	$53,955	$0	$0	$53,955	$53,955	$0	$53,955
2022	$53,955	$0	$0	$53,955	$46,761	$46,761	$0

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
8353/0514	06/2024	06 SPECIAL WARRANTY	8 ALLOCATED	Q	I	$610,000
7798/0226	06/2022	07 WARRANTY	8 ALLOCATED	U	V	$450,000

Property Description

SEC 32 TWP 16 RGE 23
COM AT A PT ON THE W BNDY OF E 1/2 OF NW 1/4 OF NE 1/4 OF SEC 32 TH S 00-18-00 W 630 FT TH E 711.06 FT TH S 00-01-18 E 172.82 FT TO THE POB TH CONT S 00-01-18 E 525.06 FT TH N 89-49 W 57.98 FT TH S 00-16-20 W 85.06 FT TH N 70-52-21 W 559.77 FT TH N 34-34-31 E 247.77 FT TH N 69-56-00 E 241.66 FT TH N 00-01-18 W 139.50 FT TH N 89-58-42 E 219.51 FT TO THE POB
Parent Parcel: 39169-000-00

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units Type	Rate Loc Shp Phy	Class Value	Just Value
0001		.0	.0	B2	5.00 AC			

Neighborhood 9994 - COMM HWY 25 E BELLEVIEW TO LW
Mkt: 2 70

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width

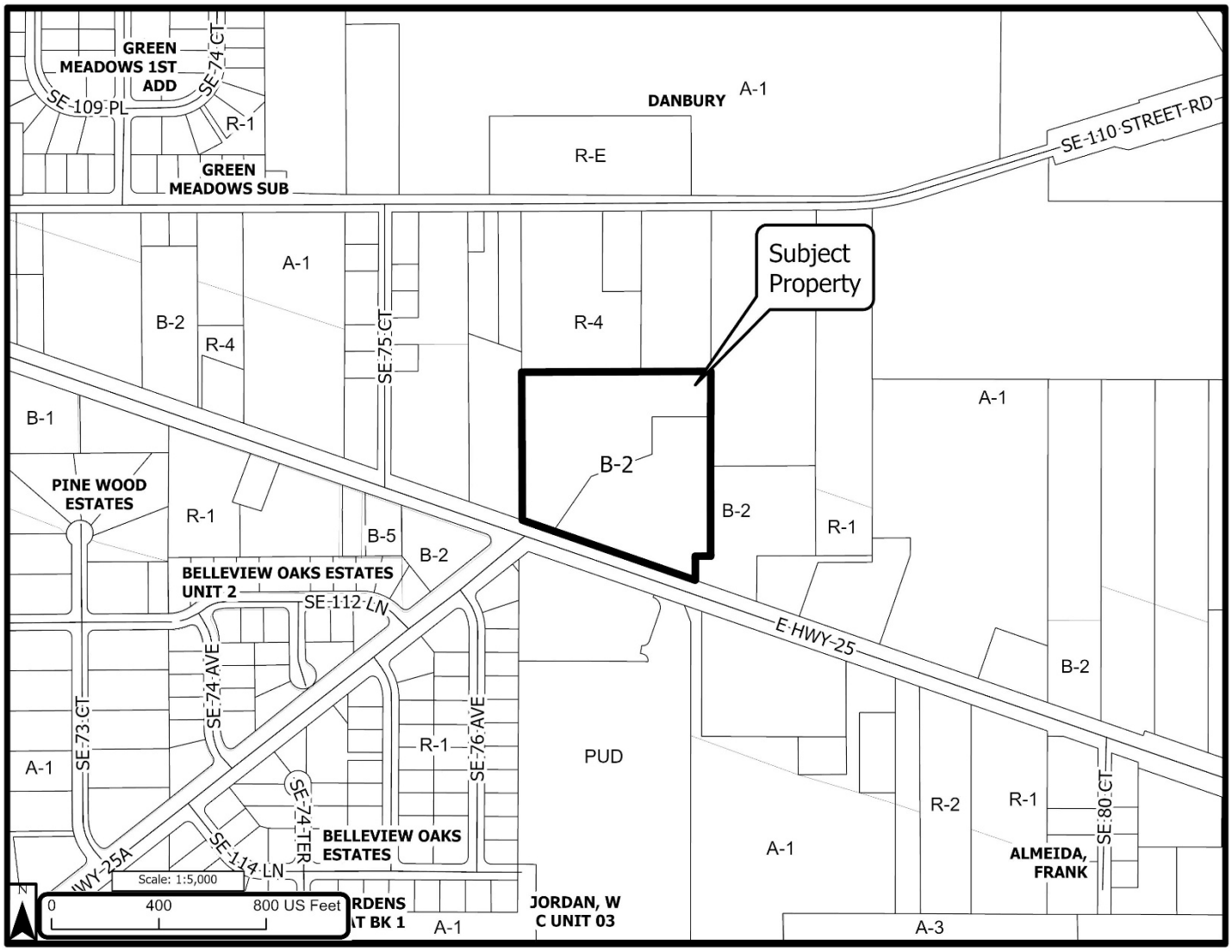
Appraiser Notes

Planning and Building
** Permit Search **

Permit Number	Date Issued	Date Completed	Description

Public Notification for: SPECIAL USE PERMIT
Marion County Growth Services Planning & Zoning (352) 438-2675

250802SU



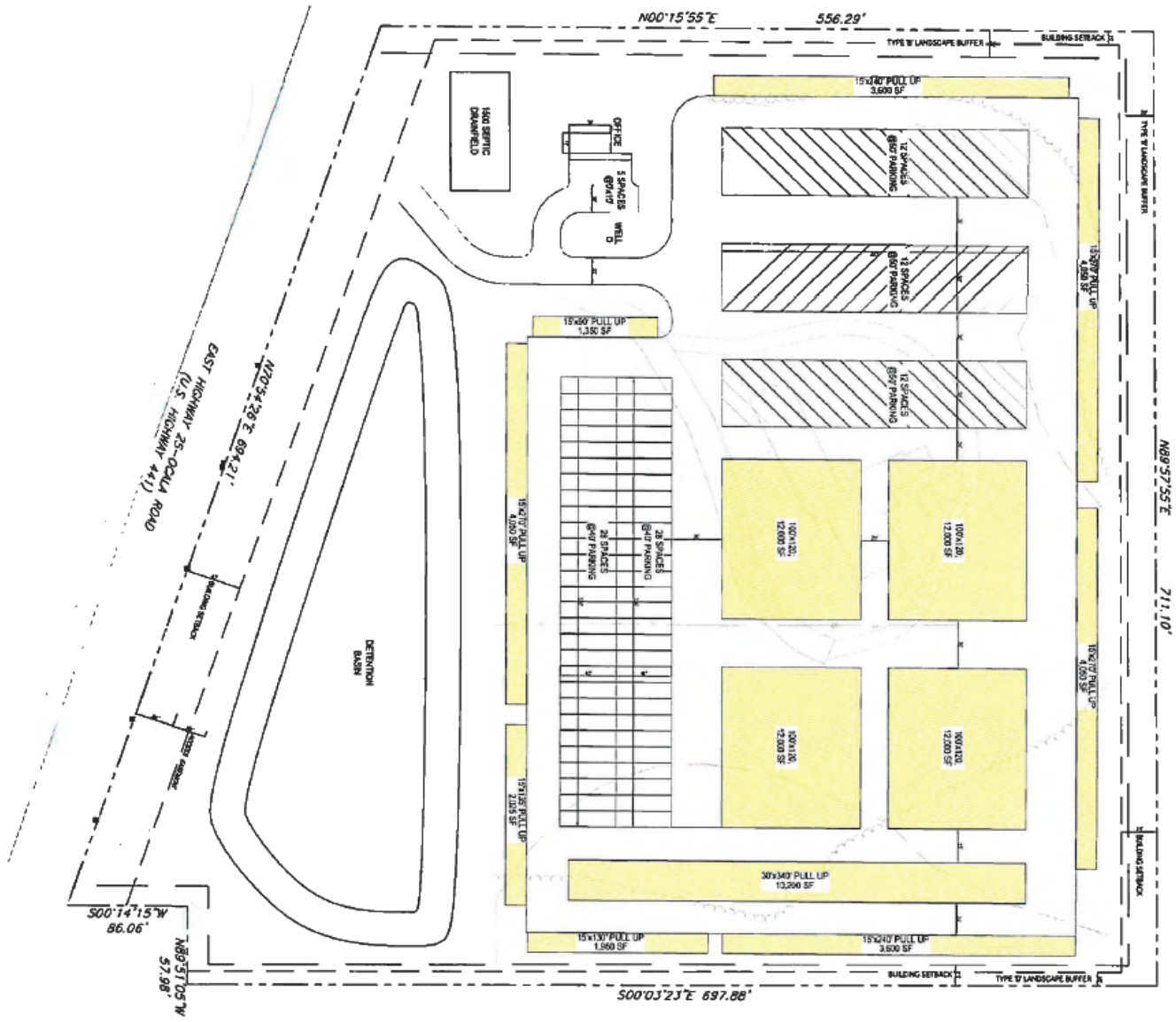
First Public Hearing: Planning & Zoning Commission ***07/28/2025 @ 5:30 p.m.***	**Owner(s):**	Partners Self Storage, LLC c/o Joseph Stant
	Agent(s):	Klein & Klein, PLLC c/o Ethan A. White, Esq.
	Location:	7655 E HWY 25, Belleview, FL 34420
Second Public Hearing: Board of County Commissioners ***08/19/2025 2:00 p.m.***	**Parcel(s):**	39169-000-00 & 39169-003-00
	Zone(s):	B-2 (Community Business)
	Acre(s):	± 11 Total Acres

Public Hearing Location: 601 SE 25th Avenue, Ocala, FL 34471 - McPherson Governmental Campus Auditorium

Request Description: Special Use Permit to allow for outdoor storage of vehicles in a Community Business(B-2) zone.

You are receiving this notification because you own property that is located within 300' of the subject parcel(s)
If you have any questions, please call (352) 438-2675

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 a legal or official representation of legal boundaries.



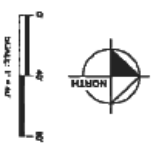
SITE DATA

ZONING REQUIREMENTS - B-2

SITE SETBACKS

BUILDINGS

PARKING



C1	SHEET NUMBER	26-24-100	PROJECT NO.	03/25	DATE	SELF STORAGE PROJECT 7655 EAST HIGHWAY 25 CITY OF BELLEVIEW, FL 34420 MARION COUNTY FLORIDA	CONCEPT 1

SCALE: AS NOTED
DESIGNED BY: GTC
DRAWN BY: GTC
CHECKED BY: GTC

DESIGN ENGINEER: GREGORY T. CHATELAIN, P.E.
FLORIDA REGISTRATION NUMBER: 90573
SEAL

CHATELAIN ENGINEERING

No.	REVISIONS	DATE	BY

Development Review Comments Letter

7/7/2025 5:03:31 PM

PARTNERS SELF STORAGE LLC
ZO SUP #32795

ID	DESCRIPTION	REMARK	STATUS	DEPT
1	Special Use Permit	N/A	INFO	911
2	Special Use Permit	Stormwater is not opposed to the special use permit. The applicant is requesting a SUP for the purpose of outdoor storage. Parcels 39169-000-00 & 39169-003-00 are currently zoned B-2 and are collectively 11 acres in size. There are no FEMA Flood Zones or County Flood Prone Areas on this site. Per the MCPA, parcel 39169-003-00 currently has 0 SF of impervious coverage while parcel 39169-000-00 currently has 21,876 SF of impervious coverage. This site will be subject to a Major Site Plan or waiver when its existing and proposed impervious coverage exceeds 9,000 SF.	INFO	ENGDRN
3	Special Use Permit	5/12/25 – The proposed storage facility is a low volume traffic generator for a commercial site, and this proposed use for storage is not a factor that would necessarily demonstrate increased traffic volume. OCE Traffic has no objections to this request.	INFO	ENGTRF
4	Special Use Permit	No issue with Fire	INFO	FRMSH
5	Special Use Permit	1. Major site plan to be submitted to DRC 2. Comply with LDC requirements	INFO	LSCAPE
6	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	LUCURR
7	Special Use Permit	Parcels #39169-000-00 and #39169-003-00 are located within the City of Belleview's utility service area. Please note that the City of Belleview is not part of the Marion County Development Review process. Defer all utility notes to City of Belleview. Be sure to notify the City of Belleview regarding any Special Use requests associated with this project. If a Site Plan is proposed, Marion County Utilities will require a Letter of Availability and Capacity from the City of Belleview confirming their ability to serve the project. Parcels are located within the Urban Growth Boundary. Inside a Secondary Springs Protection Zone.	INFO	UTIL
8	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	ZONE

250802SU Site and Area Photographs

Sign was posted and photos were taken on July 11th, 2025.

Figure 1

Sign #1 Posted at Intersection of E Hwy 25 & SE Hwy 25A (Close Up), Facing N

Figure 2

Sign #1 Posted at Intersection of E Hwy 25 & SE Hwy 25A (Backed Up), Facing N

Figure 3

View of form Elks Lodge from Sign #1, Facing N

Figure 4

View of E Hwy 25 from Sign #1, Facing W

Figure 5

View of Intersection of E Hwy 25 & SE Hwy 25A from Sign #1, Facing S

Figure 6

View of Homes in Belleview Oaks Estates from Sign #1, Facing S

Figure 7

View of Highland Belleview East PUD Construction Site from Sign #1, Facing SE

Figure 8

View of E Hwy 25 from Sign #1, Facing E

Figure 9

Sign #2 Posted Near East Property Line (Close Up), Facing N

Figure 10

Sign #2 Posted Near East Property Line (Backed Up), Facing N

Figure 11

View of E Hwy 25 from Sign #2, Facing W

Figure 12

View of E Hwy 25 from Sign #2, Facing E

Figure 13

View of Highland Belleview East PUD Construction Site, Facing SW

Figure 14

View of Highland Belleview East PUD Construction Site, Facing S

Figure 15

View of Transmission Lines Running North & South, Facing S

Figure 16

View of Transmission Lines Running & Duke Energy Station, Facing N

Figure 17

View of Site's Eastern Buffer from Duke Energy Station Driveway, Facing NW

Figure 18

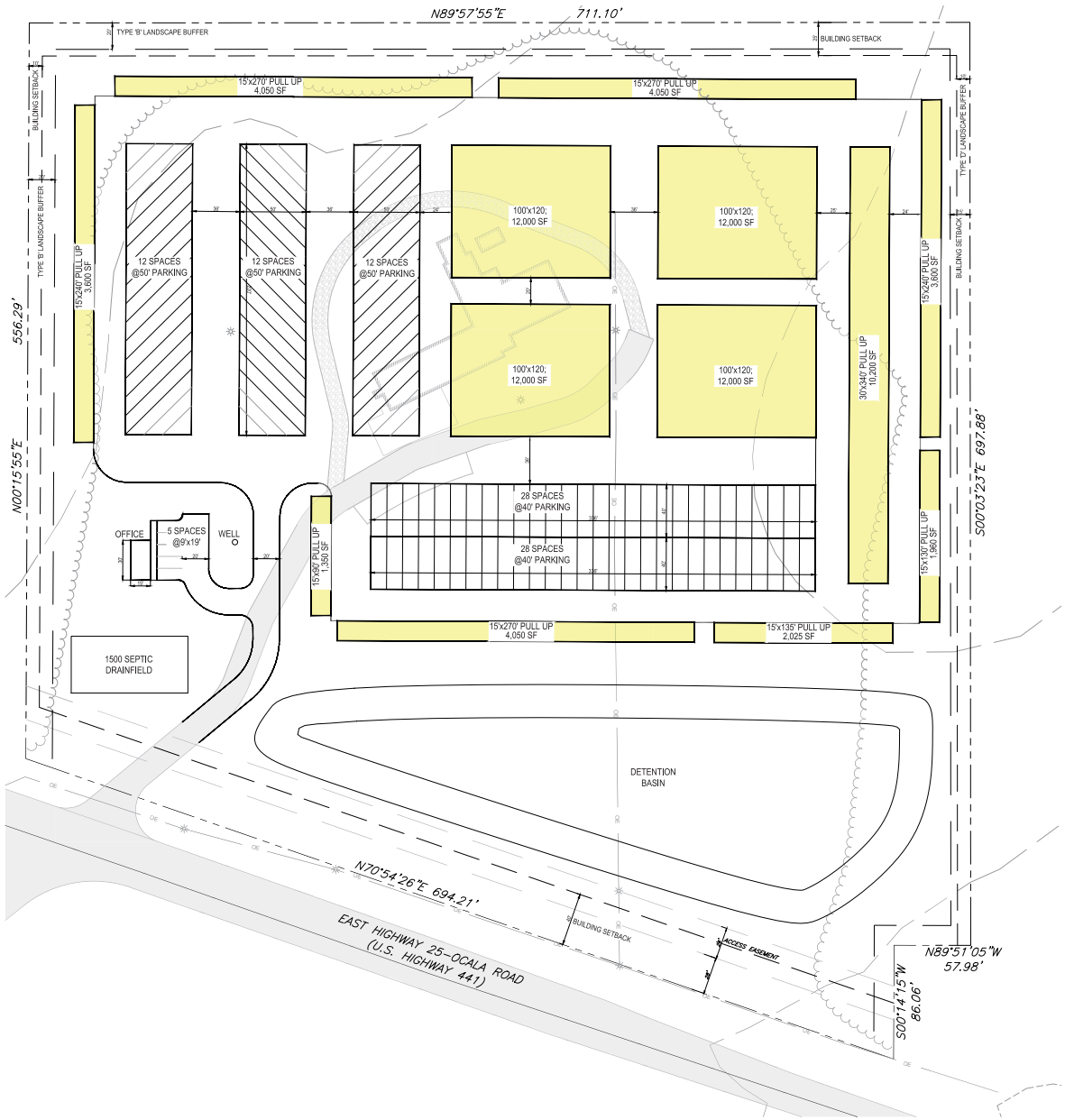
View of Site's Eastern Buffer from Near Sign #2, Facing NE

Figure 19

View of Site's Northern Buffer from E Hwy 25, Facing N

Figure 20

View of Site's Western Buffer from Site's Driveway, Facing NW



HUDSON

0' 40' 80'

SCALE: 1" = 40'

SITE DATA

PARCEL ID#: 39169-000-00 & 39169-003-00
PROJECT AREA: 11.0 ACRES / 479,312 SF
PROPOSED USE: SELF STORAGE UNITS

ZONING REQUIREMENTS - B-2 (COMMUNITY BUSINESS DISTRICT)

SITE SETBACKS:

	BUILDING	LANDSCAPE BUFFER
FRONT	40 FT	NA
SIDE	10 FT	WEST 20 FT / EAST 10 FT
REAR	25 FT	20 FT
BUILDING HEIGHT	50 FT	
LANDSCAPE BUFFER	VARIES	

BUILDINGS:

A/C STORAGE	48,000 SF
PULL UP STORAGE	34,885 SF
OFFCE	450 SF

PARKING:

12'x40'	48 SPACES
12'x50'	36 SPACES
10'x20'	5 SPACES

No.	REVISIONS	DATE	BY

CHATELAIN ENGINEERING

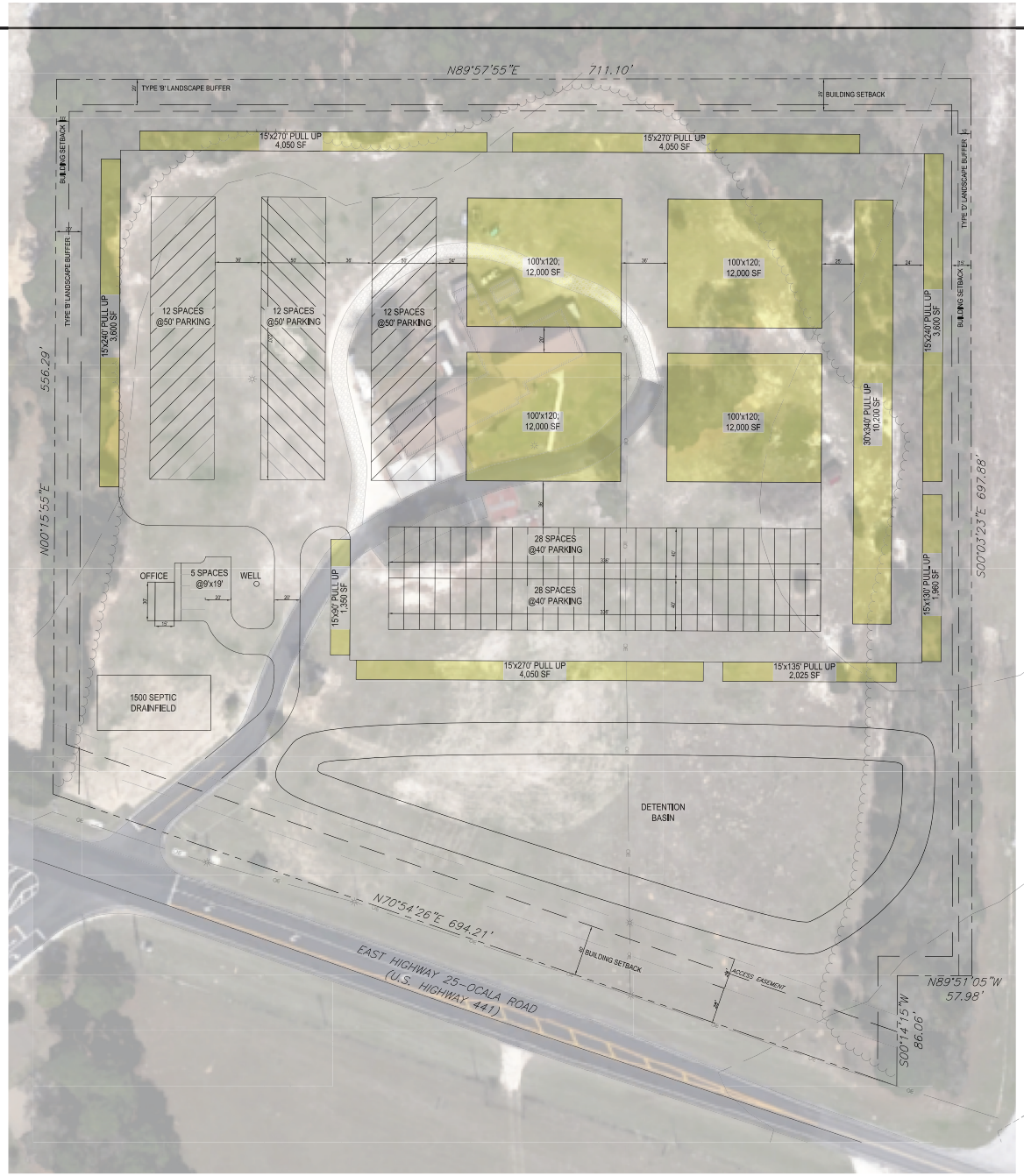
DESIGN ENGINEER: GREGORY T. CHATELAIN, P.E.
FLORIDA REGISTRATION NUMBER: 90573
SEAL

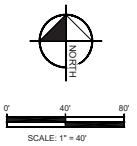
SCALE: AS NOTED
DESIGNED BY: GTC
DRAWN BY: GTC
CHECKED BY: GTC

CONCEPT 1

SELF STORAGE PROJECT
7655 EAST HIGHWAY 25
CITY OF BELLEVIEW, FL 34420
MARION COUNTY FLORIDA

DATE: 03/25
PROJECT NO.: 26–24–100
SHEET NUMBER: C1





SITE DATA

PARCEL ID# 39169-000-00 & 39169-003-00
PROJECT AREA: 11.0 ACRES / 479,312 SF
PROPOSED USE: SELF STORAGE UNITS

ZONING REQUIREMENTS - B-2 (COMMUNITY BUSINESS DISTRICT)

SITE SETBACKS:

	BUILDING	LANDSCAPE BUFFER
FRONT	40 FT	NA
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REAR	25 FT	20 FT
BUILDING HEIGHT	50 FT	
LANDSCAPE BUFFER	VARIES	

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SEAL

SCALE: AS NOTED
DESIGNED BY: GTC
DRAWN BY: GTC
CHECKED BY: GTC

CONCEPT 1

SELF STORAGE PROJECT
7655 EAST HIGHWAY 25
CITY OF BELLEVIEW, FL 34420
MARION COUNTY FLORIDA

DATE 03/25
PROJECT NO. 26-24-100
SHEET NUMBER C1

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19929 **Agenda Date:** 7/28/2025 **Agenda No.:** 1.3.

SUBJECT:
250803SU - Vikings, LLC, Special Use Permit to Allow for the Ongoing Use of the Temporary Golf Pro-Shop Facility, in a Planned Unit Development (PUD) Zone, 1.77 Acre Tract, Parcel Account Numbers 34546-122-00 and 34546-123-00, Site Address 6933 SW 179th Avenue Road, Dunnellon, FL 34432

DESCRIPTION/BACKGROUND:
Ardurra Group, Inc., on behalf of Vikings, L.L.C, has filed a Special Use Permit for the ongoing use of the temporary golf pro-shop in a 1.77-acre property with a Planned Unit Development (PUD) zoning classification at 6933 SW 179th Avenue Road, Dunnellon, FL, pursuant to the provisions of Land Development Code (LDC) Division 2.8 - Special Use Permit, and LDC Section 4.2.3. The subject property has a Low Residential (LR) land use designation and is situated outside the Urban Growth Boundary (UGB) and in the County's Primary Springs Protection Overlay Zone (PSPOZ).

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

P&Z Date: 7/28/2025	**BCC Date: 8/19/2025**
Case Number	250803SU
CDP-AR	32731
Type of Case	**Special Use Permit** for the ongoing use of the temporary golf pro-shop at Juliette Falls.
Owner	Vikings, L.L.C.
Applicant	Ardurra Group, Inc.
Street Address/Site Location	6933 SW 179th Avenue Road, Dunnellon, FL 34432
Parcel Number(s)	34546-123-00 & 34546-122-00
Property Size	±1.77 AC
Future Land Use	Low Residential (LR)
Existing Zoning Classification	Planned Unit Development (PUD)
Overlays Zones/Special Areas	Primary Springs Protection Zone (PSPZ)
Staff Recommendation	**APPROVAL WITH CONDITIONS**
P&Z Recommendation	**TBD**
Project Planner	Jared Rivera-Cayetano
Related Cases	Special Use Permit (SUP) Request No. 070606SU, 100709SU, 150602SU & 200601SU

I. ITEM SUMMARY

Ardurra Group, Inc., on behalf of Vikings, L.L.C, filed a Special Use Permit (SUP) application for a ±1.77-acre property with a zoning classification of Planned Unit Development (PUD), Case No. 050422Z (see Attachment D for the approved 2005 Master Plan). The subject property is located at 6933 SW 179th Avenue Road, Dunnellon, FL. The Parcel Identification Numbers for the subject property is 34546-123-00 & 34546-122-00. Located within the Juliette Falls subdivision—and its subsequent replatting—the legal descriptions are provided within the Special Use Permit application (see Attachment A). The site is located outside the Urban Growth Boundary (UGB) and within the Primary Springs Protection Zone (PSPZ). The intention of this Special Use Permit request is to allow the ongoing use of a temporary golf pro-shop at Juliette Falls. In the long term, the owner intends to construct a larger clubhouse facility to the east of the subject property (PID 34546-000-01), which would be permitted by the Juliette Falls Planned Unit Development (PUD) zoning classification. Special Use Permits for the requested use have previously been approved (see Attachments E, F, G and H). No changes in operations nor increase in impervious surface is proposed at this time.

Figure 1
General Location Map

II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS**. Staff finds that a temporary golf pro-shop is appropriate because the subject property itself is located adjacent to a large golf course. Special Use Permits for the requested use have been previously approved. Staff believes the request is consistent with the Marion County Comprehensive Plan, compatible with the surrounding area, and will not adversely affect the public interest. The conditions in Section VII of this report are recommended to address compliance with the requirements in the Marion County Land Development Code (LDC) Sections 2.8.2.D and 2.8.3.B.

III. NOTICE OF PUBLIC HEARING

The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C, 2.7.3.B and 2.7.3.E to apply to SUP applications. Consistent with LDC Section 2.7.3.B., notice of public hearing was mailed to all property owners (23 owners) within 300 feet of the subject property on July 11, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on July 18, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on July 14, 2025. 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, no letters of opposition or support have been received.

IV. BACKGROUND/CHARACTER OF AREA

A. *Existing Site Conditions.*

Figure 1, above, is a general location aerial displaying existing and surrounding site conditions. Figure 2, below, displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

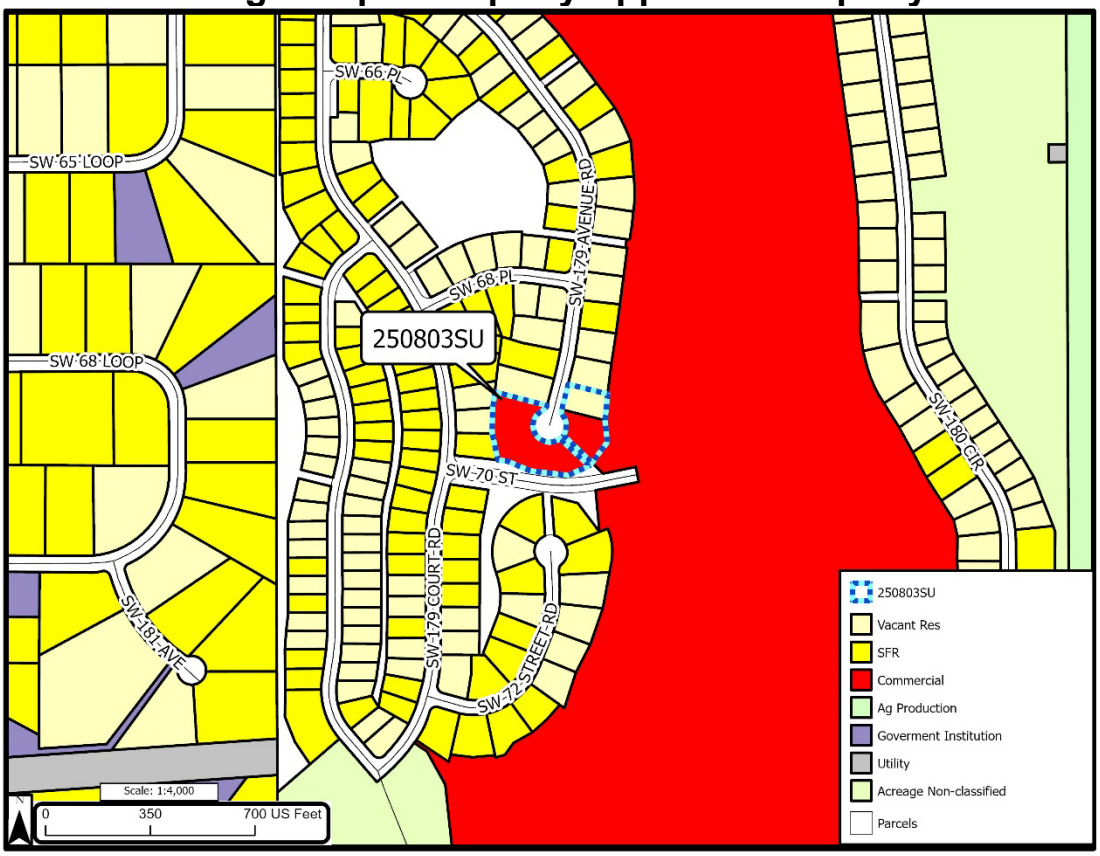
The area surrounding the subject property is primarily residential. Specifically, properties sitting to the North, West, and South are a mix of single-family residential and vacant residential. There is a large property (PID 34546-000-01) directly to the East that is characterized as commercial. This specific property contains a parking lot, several golf courses, and other open/recreational spaces.

Staff conducted a site visit on July 18, 2025 and found that the entrance to the temporary golf pro-shop building itself is located on a cul-de-sac along SW 179th Avenue Road. No parking is allowed on this residential cul-de-sac. Automobile and golf cart access to the shop (including parking) is located along SW 70th Street, although there is evidence of vehicle traffic through a property (PID 34546-127-00) to the North of the subject site. This specific lot has since been sold for residential development and will no longer be included in Special Use Permit applications. A single-family home is intended to be constructed on this northern lot. The shop

itself is located in a large residential structure with an enclosed patio serving as the dining area for a restaurant that is also within the building. The subject property is highly landscaped. Site photos are attached to this report (see Attachment C).

Figure 3 provides zoning classification information while Figure 4 provides Future Lane Use (FLU) designation information for the area.

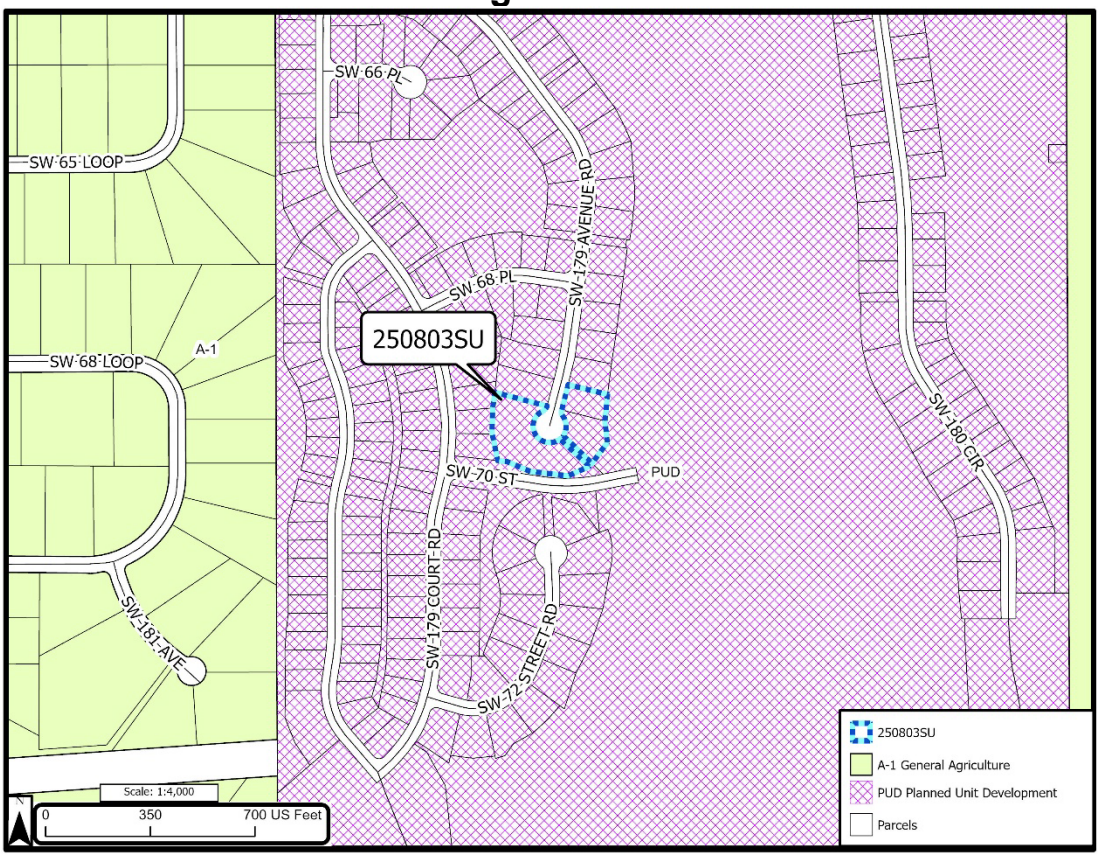
Figure 2
Existing Use per Property Appraiser Property Code



B. *Zoning Classification.*

Figure 2, below, displays the existing zoning classifications for the subject property in relation to the existing zoning classifications of the surrounding properties. All nearby properties are zoned Planned Unit Development (PUD), Case No. 050422Z. The zoning allows up to 542 residential units within Juliette Falls, as well as several hundred acres of recreation/open space, including an area intended for a clubhouse facility. The subject property is located adjacent to an area intended for a large golf course. Attachment D provides a copy of the 2005 PUD Master Plan for Juliette Falls.

Figure 3
Zoning Classification



C. *FLUM Designation.*

Figure 4, below, displays the existing Future Land Use (FLU) designation for the subject property in relation to the existing FLU designation of the surrounding properties. All nearby properties are designated as Low Residential (LR), which is intended for a density up to one (1) dwelling unit per acre.

The subject property is within the Primary Springs Protection Overlay Zone (PSPOZ) and outside the Urban Growth Boundary (UGB).

Figure 4
FLUMS Designation

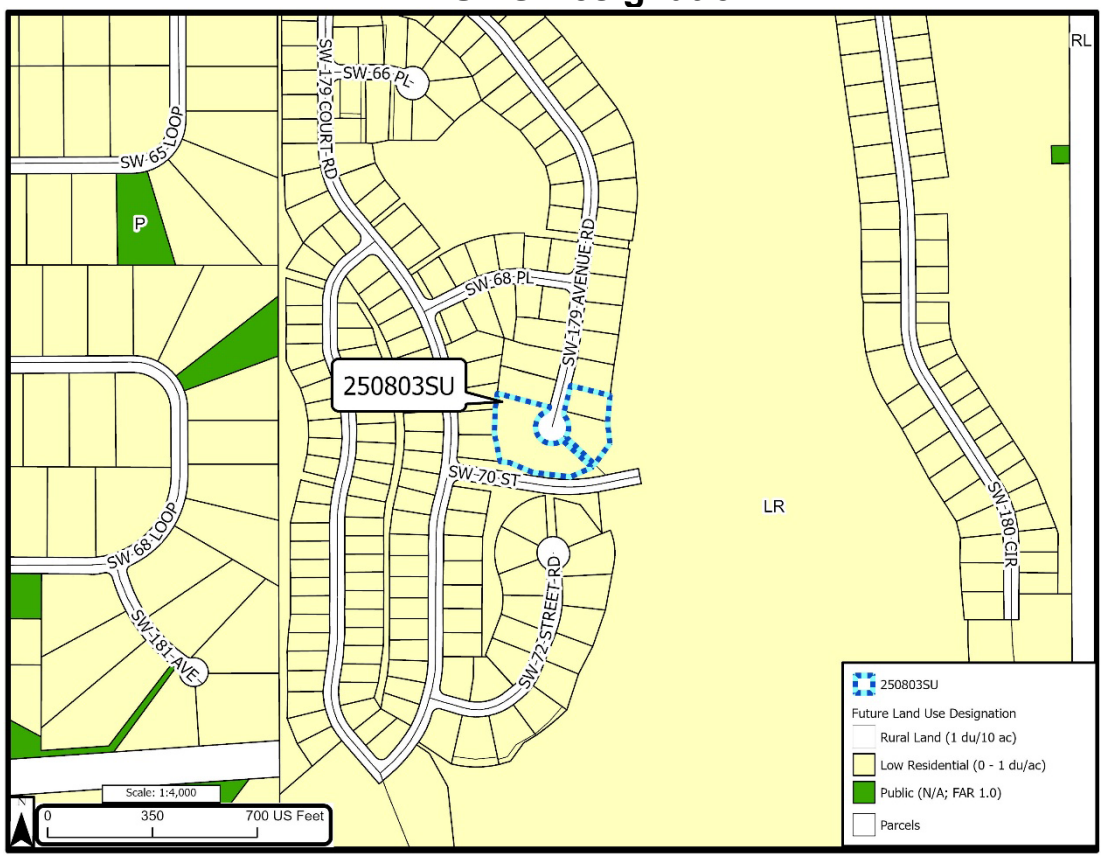


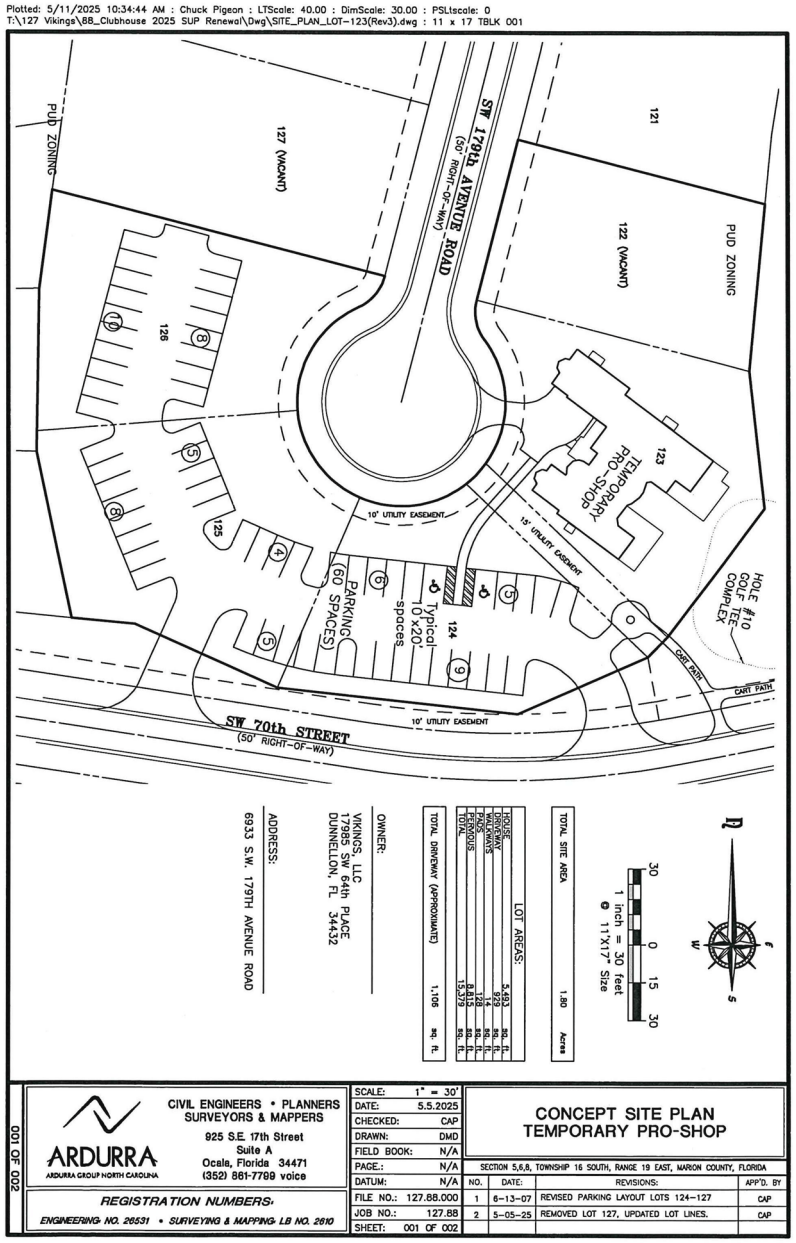
Table A, below, assembles the information in Figures 2, 3, and 4 in tabular form. Figure 6 provides a concept plan for the requested use.

TABLE 1.
ADJACENT PROPERTY CHARACTERISTICS

Direction	FLUM Designation	Zoning Classification	MCPA Existing Use
Subject Property	Low Residential (LR)	Planned Unit Development (PUD)	Commercial
North	Low Residential (LR)	Planned Unit Development (PUD)	Vacant Residential, Single Family Residential
South	Right-of-Way, Low Residential (LR)	Right-of-Way, Planned Unit Development (PUD)	Single Family Residential
East	Low Residential (LR)	Planned Unit Development (PUD)	Commercial

West	Low Residential (LR)	Planned Unit Development (PUD)	Vacant Residential, Single Family Residential

Figure 5
Concept Plan



V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Commission shall make a written finding that granting the SUP will address nine specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements are addressed below.

*A. Provision for **ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Analysis: Ingress and egress to the temporary golf pro-shop is provided along SW 70th Street. Two (2) driveways are provided for automobiles. A separate path for golf carts is also provided.

There is evidence of vehicle traffic through a property (PID 34546-127-00) to the North of the subject site, which is located on a residential cul-de-sac along SW 179th Avenue Road. A dirt road exists on this lot; however, this lot has since been sold to a private owner and a single-family house is intended to be constructed. In any case, staff recommends the following condition to mitigate ingress and egress concerns:

- *The ingress/egress shall be limited to existing driveways off NW 70th Street and shall maintain paved aprons consistent with Land Development Code requirements.*

*B. Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area.*

Analysis: Sixty (60) parking spaces for automobiles are provided within the subject property. Space for golf carts is directly adjacent to the golf pro-shop for convenience purposes. Highly landscaped areas surround the parking lot. Although certain loading activity (i.e. catering) may occur along the cul-de-sac at SW 179TH Avenue Road, most activity occurs to the south of the golf pro shop. Based on the amount of parking provided and loading activity, staff concludes that the application is consistent with LDC provisions for off-street parking and loading.

*C. Provisions for **refuse and service area**, with particular reference to the items in (1) and (2) above.*

Analysis: A garbage collection area is located within the parking lot and is screened in accordance with LDC provisions. Waste removal has been provided by Florida Express Waste and Recycling since 2005. Staff therefore concludes that the application is consistent with LDC provisions for refuse and service areas.

*D. Provision for **utilities**, with reference to locations, availability, and compatibility.*

Analysis: The subject property is located within Florida Governmental Utility Authority (FGUA) service area for water and wastewater. Since the subject property currently has access to utility services including potable water, wastewater, telephone, gas, and electric, staff finds that the application is consistent with LDC provisions for utilities provided that the following condition is met:

- *No change in operations or services provided shall be proposed.*

*E. Provision for **screening and buffering** of dissimilar uses and of adjacent properties where necessary.*

Analysis: The subject property is highly landscaped, including the area between the golf pro-shop parking lot and SW 70th Street. The garbage collection area is screened in accordance with LDC provisions. Since buffers between the subject property and surrounding properties already exist, staff finds that the application is consistent with LDC provisions for screening and buffering provided that the following condition is met:

- *The established buffer shall be maintained.*

*F. Provision for **signs**, if any, and **exterior lighting** with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area.*

Analysis: No major signage currently exists, nor is one proposed, within the subject property. Additional lighting has been not proposed, but if it is found that lighting needs to be added, a photometric plan will be provided in accordance with the Marion County LDC. Staff therefore concludes that the application is consistent with LDC provisions for signs and exterior lighting.

*G. Provision for **required yards and other green space**.*

Analysis: PUD Case No. 050422Z establishes minimum standards related to recreational and open space. Open space as required by the PUD zoning and the Marion County Land Development Code generally will be reviewed during the development review process. Staff therefore concludes that the application is consistent with LDC provisions for green space.

*H. Provision for general **compatibility** with adjacent properties and other property in the surrounding area.*

Analysis: "Compatibility" is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, as "a condition in which land uses or

conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." Figure 1 is a general location aerial displaying existing and surrounding site conditions.

Figure 2 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC). The surrounding properties are characterized primarily by residential uses, while the shop itself is located in a large residential structure. Furthermore, both the nearby vacant residential properties and the large commercial property containing a parking lot, several golf courses, and other open/recreational spaces are owned by the applicant. Staff recommends the following conditions to mitigate further compatibility concerns:

- *The site shall be developed and operated consistent with the concept plan provided for Special Use Permit requests 070606SU, 100709SU, 150602SU, and 200601SU.*
- *Any expansion of building structures or impervious areas beyond that permitted by the concept plan shall require a new/revised Special Use Permit.*
- *The Special Use Permit shall terminate upon closure or sale of the business.*
- *The Special Use Permit shall expire on August 18, 2030; however, it may be renewed administratively three times for five years each by written instrument signed and issued by the Growth Services Director (or designee), unless:*
    - *There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit;*
    - *Neighboring property owners within 300 feet 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; and/or*
    - *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 equivalent review process at the time).*

*I. Provision for meeting any **special requirements** required by the site analysis for the particular use involved.*

Analysis: Staff notes that, unlike a variance which runs with the land and is publicly recorded by the Clerk of Courts, a Special Use Permit is not recorded. Consequently, any subsequent owner will not have notice of SUP requirements.

Any additional development will thus be subject to the applicable development review and permitting processes. Such a review will ensure that the development is consistent with the County Land Development Code. Staff therefore concludes that no special requirements are needed beyond the conditions in this report.

J. Consistency with the Comprehensive Plan.

1. FLUE Policy 2.1.5 on Permitted and Special Use provides, "The County shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC."

   Analysis: PUD Case No. 050422Z allows up to 542 residential units within Juliette Falls, as well as several hundred acres of recreation/open space, including an area intended for a clubhouse facility. Although the applicant proposes the golf pro-shop within an area ultimately intended for residential development, this facility is also located adjacent to an area intended for a large golf course. The facility is temporary and will provide some of the same amenities as the clubhouse facility area indicated by the 2005 PUD Master Plan. This application is thus **consistent** with FLUE Policy 2.1.5.

Based on the above findings, staff concludes the SUP is consistent with LDC Sections 2.8.2.D and 2.8.3.B. The conditions in Section VII of this report are recommended to further address compliance.

VI. ALTERNATIVE ACTIONS

A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **DENY** the Special Use Permit.

B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions, and make a recommendation to the Commission to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the Special Use Permit.

C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, make a recommendation to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

Staff recommends the Planning & Zoning (P&Z) Commission enter into the record the Staff Report, and all other competent substantial evidence presented at the hearing,

adopt the findings and conclusions contained herein, and make a recommendation to **APPROVE WITH CONDITIONS** the Special Use Permit based on compatibility in the area, compliance with the Comprehensive Plan, and a lack of adverse impacts to the surrounding area.

To further address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are recommended in the event that the Board chooses to agree with staff recommendation and approve the requested special use with the conditions that:

1. *The site shall be developed and operated consistent with the concept plan provided for Special Use Permit requests 070606SU, 100709SU, 150602SU, and 200601SU.*
2. *Any expansion of building structures or impervious areas beyond that permitted by the concept plan shall require a new/revised Special Use Permit*
3. *The ingress/egress shall be limited to existing driveways off NW 70th Street and shall maintain paved aprons consistent with Land Development Code requirements.*
4. *No change in operations or services provided shall be proposed.*
5. *The established buffer shall be maintained.*
6. *The Special Use Permit shall terminate upon closure or sale of the business.*
7. *The Special Use Permit shall expire on August 18, 2030; however, it may be renewed administratively three times for five years each by written instrument signed and issued by the Growth Services Director (or designee), unless:*
    - *There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit;*
    - *Neighboring property owners within 300 feet 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; and/or*
    - *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 equivalent review process at the time).*

VIII. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined. Scheduled for July 28, 2025 at 5:30 PM.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined. Scheduled for August 19, 2025 at 2:00 PM.

X. LIST OF ATTACHMENTS

A. Application
B. DRC Comments Letter
C. Site Photos

Marion County
Board of County Commissioners

Growth Services ◆ Planning & Zoning

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

STAFF/OFFICE USE ONLY	
Case No.:	
AR No.:	
PA:	

* REVISED *

__ New or Modification $1,000
__ Expired $1,000
X Renewal (no changes) $300

SPECIAL USE PERMIT APPLICATION

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

Renewal and Extension of 150602SU for the on-going use of the temporary golf pro-shop facilities at Juliette Falls

Property/Site Address: 6933 SW 179th Ave Rd, Dunnellon FL 34432

Property Dimensions: _____ **Total Acreage:** 1.80

Legal Description: (Please attach a copy of the deed and location map.) **Parcel Zoning:** PUD

Parcel Account Number(s): 34546-122-00 and 34546-123-00

Each property owner(s) MUST sign this application or provide written authorization naming the applicant or agent below to act on their behalf. **Please print all information, except for the Owner and Applicant/Agent *signature*. If multiple owners or applicants, please use additional pages.**

Property Owner	Applicant or Agent
Ron Clapper, President & Owner Vikings LLC	Chuck A. Pigeon, P.E., Ardurra Group, Inc
Property Owner Name (please print)	**Applicant or Agent Name (please print)**
17985 SW 64th Place	925 SE 17th Street, Suite A
Mailing Address	**Mailing Address**
Dunnellon, FL 34432	Ocala, FL 34471
City, State, Zip Code	**City, State, Zip Code**
(352) 465-4000	(352) 861-7799
Phone Number (include area code)	**Phone Number (include area code)**
lynne@juliettefalls.com	CPigeon@Ardurra.com
E-Mail Address (include complete address)	**E-Mail Address (include complete address)**
Signatures*	***Signatures***

*By signing this application, applicant hereby authorizes Growth Services to enter onto, inspect, and traverse the property indicated above, to the extent Growth Services deems necessary, for the purposes of assessing this application and inspecting for compliance with County ordinance and any applicable permits.

STAFF/OFFICE USE ONLY				
Project No.: 2015 04 0006	Code Case No.:		Application No.:	
Rcvd by: EM	Rcvd Date: 5 12 15	FLUM:	AR No.: 32731	Rev: 10/20/21

Please note: The Special Use Permit will not become effective until after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent must be present at the public hearing to represent this application. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is non-refundable.

For more information, please contact the Zoning Division at 352-438-2675.

SPECIAL USE PERMIT APPLICATION
For
JULIETTE FALLS TEMPORARY PRO-SHOP FACILITY
Address: 17717 SW 70th Street, Dunnellon, FL
Applicant: Vikings, LLC
Reference: 150602SU approved 6/6/2015

INTRODUCTION

Juliette Falls is a Master Planned Community, zoned as a Planned Unit Development (PUD) consisting of a 18-hole championship golf course, 542 single family detached home sites, 136 acre conservation area and development related amenities and support facilities. Juliette Falls is Located on State Road 40 west of Ocala, and about two miles east of the US 41 intersection with SR 40. The owners of Juliette Falls; Vikings, LLC; Opened the development for golf recreation and residential housing sales in October 2007. On June 7, 2007 Special Use Permit No. 070606SU was issued and Resolution No. 07-R-263 was approved for Vikings, LLC to use one of the large residential style homes adjacent to the golf course tee box No. 10 as a temporary Pro-Shop. The large 2-story home was constructed with special features to include a snack bar, seating area and Pro-Shop to operate the golf business. Also at that time, a permanent cart barn facility and modern golf maintenance facility were constructed to allow all maintenance and equipment operations to be separate and remote from the temporary pro-shop. The 2007 SUP approval was conditioned to expire on June 30, 2010.

Due to the well known housing construction slowdown and economic turn down in Marion County, and in recognition of low real estate market conditions in 2009, the Florida Senate passed Senate Bill No. 360 to allow relief to the development and real estate community by allowing extension of development permits. In May 2010, Vikings, LLC requests Marion County recognized the need for an extension of time for the Special Use and On July 20, 2010 the Board passed resolution No. 10-R-276 granting a new Special Use Permit 100709SU with an expiration date on July 20, 2015.

As a resultant of the slow economic recovery Juliette Falls like several other development interests did not recover to a strong sales volume. On June 16, 2015 the Board passed resolution No. 15-R-196 granting a new Special Use Permit 150602SU with a 5 year extension to a new expiration date on June 16, 2020.

On July 21, 2020 the Board approved Resolution No. 20-R-225 granting a new Special Use Permit 200601SU with a 5 year extension to a new expiration date on June 16, 2025.

Juliette Falls has realized steady improvement and increased use of the golf facilities at the community in the last few years. Home building has improved, however, is still not a significant volume in the area of Juliette Falls. At the same time the cost of commercial construction has increased significantly and impacted the permanent clubhouse budget. As a result, the permanent golf membership and anticipated community sales funding to construct a permanent clubhouse

facility has not increased accordingly. Although the golf facilities remain one of the premier courses in Marion County, it is directly attributed to the economical Pro-shop facilities and ability to channel golf revenue directly back into the quality and maintenance of the golf course and existing Pro-Shop building. This provides for a very good golf experience and positive presentation of Marion County quality of living.

Vikings, LLC therefore, is requesting a five (5) year extension of time to be granted with a new Special Use Permit to continue utilize the existing temporary Pro-Shop. This extension of the time limit will allow additional opportunity to utilize the existing temporary pro-shop while also providing more time for community sales and home construction to increase, and the related increase in golf membership levels, as well as the economic balance of commercial construction cost to support a larger permanent clubhouse facility.

The following information is provided in support of this Special Use Permit request.

RELATIONSHIP TO MARION COUNTY COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE

The proposed Special Use Permit area is located within a Juliette Falls PUD residential area adjacent to the golf course and designated Clubhouse facilities area. The special residential home design structure is consistent and compatible with the character of the residential construction of the Juliette Falls development and consistent with the character of the plans for the surrounding area. The Pro-Shop facilities are bordered by the golf course, buffer areas and vacant residential lots owned and controlled by the applicant. The current facilities have bene constructed and operational since 2007 have provide a safe and compatible area for parking and golf pro-shop operations. Over time the area landscaping has matured to enhance a natural looking buffer for the area as well as trees for shade.

LAND USE and FINDINGS OF FACT

Vikings, LLC currently is the owner of all surrounding land parcels and a major portion of the entire 542 acre development. The subject site is located at the end of a cul-de-sac street and was constructed before any lot sales in the area took place. Current home owners are well aware of the Pro-Shop and perspective home buyers are able to visit the temporary pro-shop and understand its location, appearance and compatibility with the surrounding area.

Ingress/Egress:

Accessibility for ingress and egress are provided from S.W. 179th Avenue Road, a paved, curb & gutter roadway with cud-de-sac turn around. Emergency vehicle access is accommodated. Traffic flow to the Pro-Shop is through the main internal development roadway from SR 40.

Off Street Parking:
Off-street parking has been established adjacent to the Pro-Shop with a landscaped paved parking area on platted residential lots that were held off the market until the temporary Pro-Shop is no longer needed. Parking for the golf operations includes a large overflow paved parking area near the temporary pro-shop within the area of the future Clubhouse tract. These parking facilities are utilized daily and support the occasional necessary need for golf tournaments. Parking facility access and circulation has functioned well and meets current Land Development Code design criteria. The existing facilities meet ADA compliance requirements to include Handicap Accessibility to and from the Pro-Shop and parking lot.

Solid Waste/Refuse:
Provisions for refuse and solid waste disposal service for the site are currently provided for the facilities and include a dumpster with appropriate screening in accordance with the Land Development Code.

Utility Service:
Utility services for public drinking water, domestic wastewater service, telephone, gas, electric and cable TV and US Postal Service are all established for the facility, including a grease interceptor for kitchen waste. Water and Wastewater service are provided by Florida Government Utility Authority after acquiring the utility from the City of Dunnellon.

Screening & Buffering:
Landscaping is installed and well maintained around the Pro-Shop and is consistent with the residential neighborhood landscaping scheme. The established buffers shall be maintained between parking and residential streets.

Signage and Exterior Lighting:
The proposed continued use of the site as a temporary Pro-Shop includes the use of temporary signage installed to direst the general public and community residence to appropriate shop entrances and parking facilities. The signage is discrete and consistent with similar development signage.

Yards and other Green Spaces:
Yards, green spaces and buffering are provided around the site consistent with the Land Development Code for residential lot and parking facility areas. Landscaping and buffering is established in the parking lot areas and along the access roadways to provide a well screen buffer and green space areas.

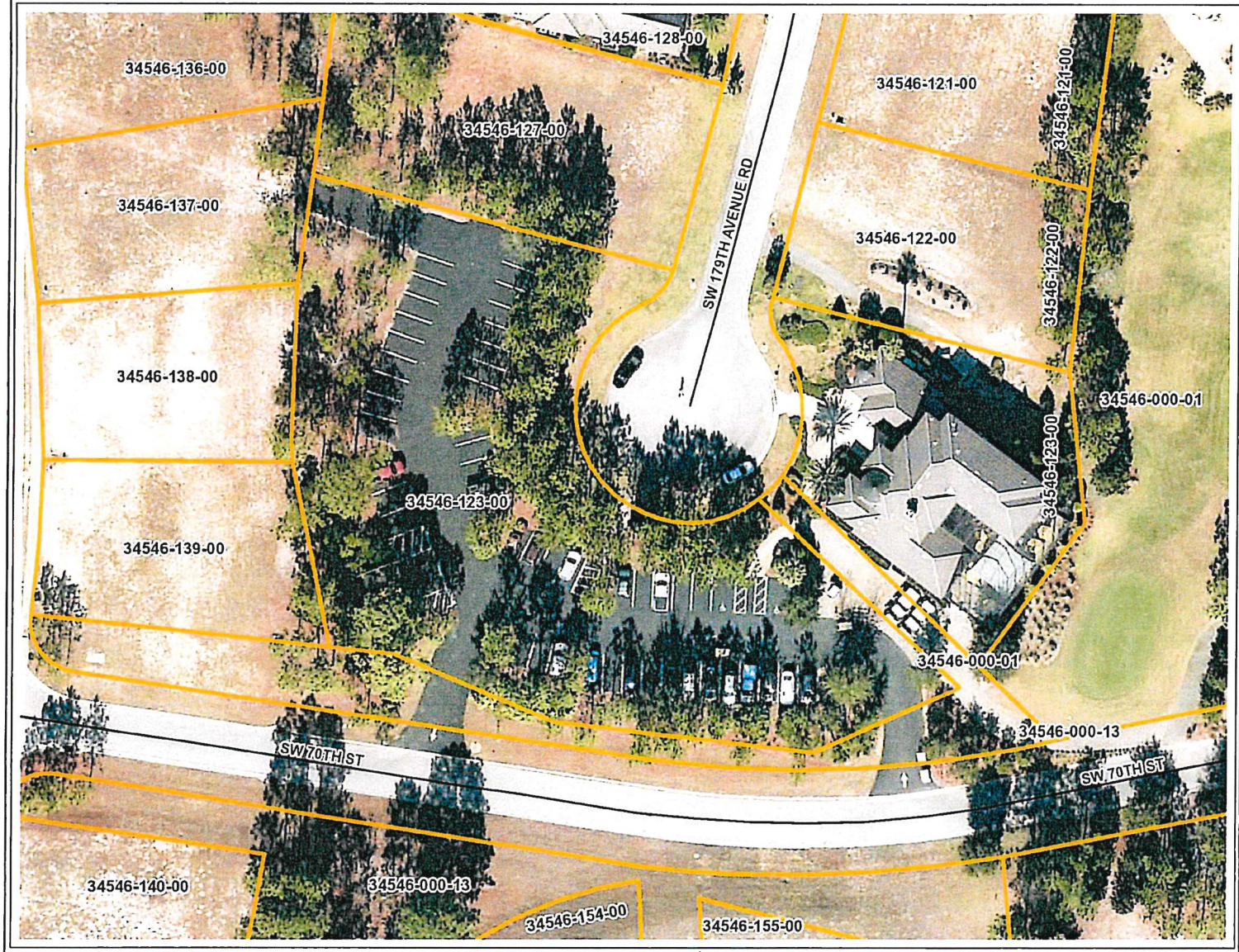
General Compatibility with adjacent property:

With the structure being a large residential estate home style and exterior construction materials, the pro-shop has the appearance of the upscale residential homes in the community. The areas of the pro-shop with open views from the pro-shop when used by guests and the outdoor dining area are primarily away from and on the opposite side of building site that borders the neighborhood street. Access to and from the pro-shop by golf carts and drop off/pick up service is along the golf course access drive to the cart barn and practice greens and therefore is hidden from the neighborhood. For the past several years the facility use and operations have demonstrated to be very compatible with the adjacent properties. No change in operations or services provided are proposed. Therefor no change in the compatibility with the community is anticipated.

SPECIAL USE PERMIT DURATION

Vikings, LLC requests a new Special Use Permit to extend the duration of the use of the existing temporary Pro-Shop facility for five (5) years.

Marion County | Interactive Map | JULIETTE FALLS



Legend

- Urban Growth Boundary
- Address Search Results
- Streets
- Parcels
- Municipalities
- Marion County

1: 850

1 in = 0.01 Miles

N W E S

Notes

TEMPORARY PROSHOP
PARCEL #34546-123-00

Creation Date: 3/24/2020

0.0 0 0.01 0.0 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

Created online at: http://maps.marioncountyfl.org/Interactivemap/

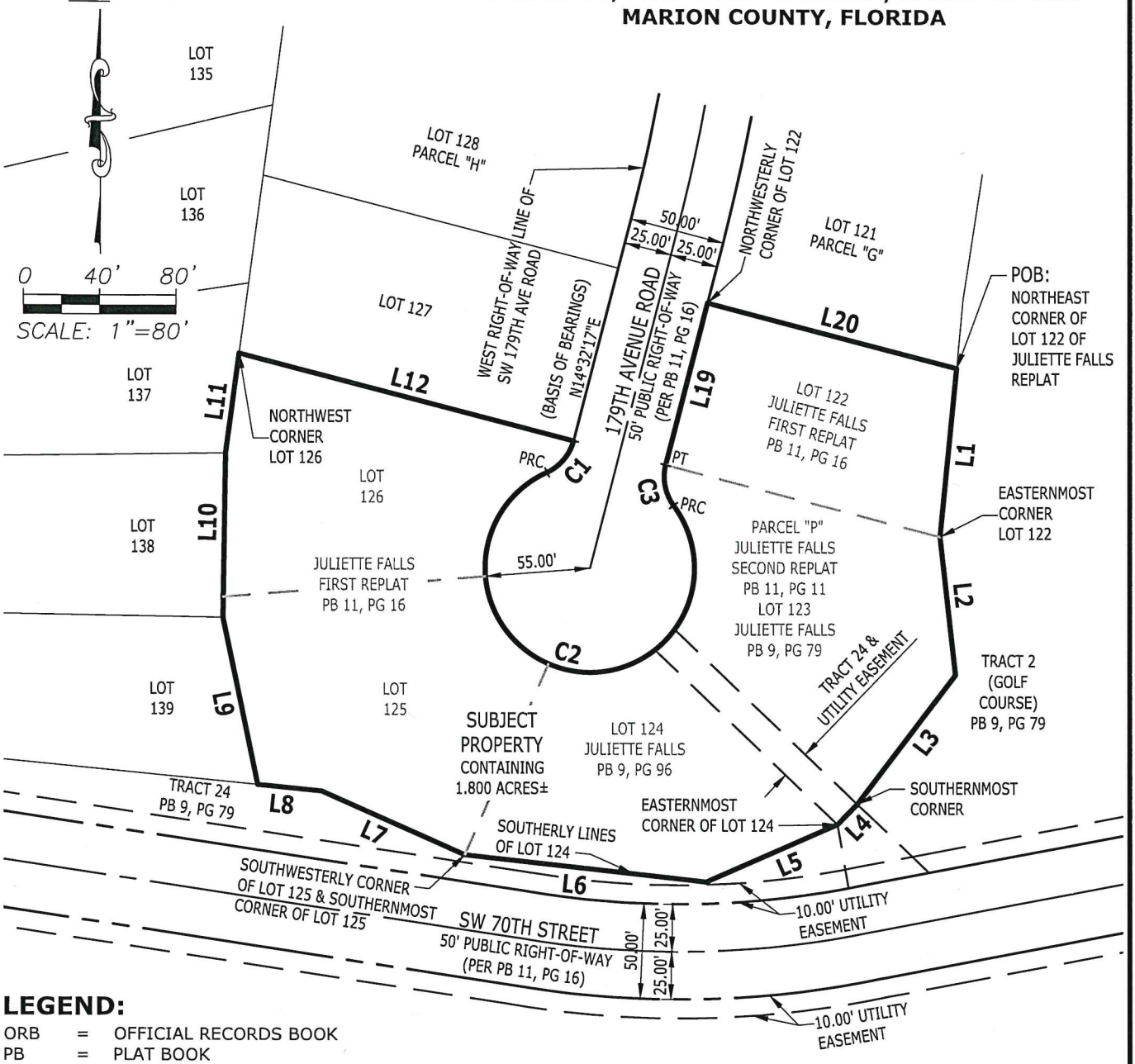
This map was produced using a self-service interactive mapping system available on the Marion County website. All GIS features provided in the interactive mapping system are to be considered a generalized spatial representation which is subject to revisions. The GIS features shown hereon are not to be used as legal descriptions. For further details related to the GIS features, please contact the appropriate department or constitutional office.

A-6

ATTACHMENT A

THIS IS NOT A SURVEY

SECTION 5, TOWNSHIP 16 SOUTH, RANGE 19 EAST
MARION COUNTY, FLORIDA



LEGEND:

ORB	=	OFFICIAL RECORDS BOOK
PB	=	PLAT BOOK
POB	=	POINT OF BEGINNING
PG	=	PAGE
PRC	=	POINT OF REVERSE CURVATURE
PT	=	POINT OF TANGENCY

*SEE SHEET 2 FOR SURVEYOR'S NOTES, LINE & CURVE TABLES
*SEE SHEET 3 FOR LEGAL DESCRIPTION

VIKINGS, LLC

CLUBHOUSE PARCEL

SCALE	DATE	JOB No.		
80'	5/7/2025	2025-0328-00		
DRAWN	CHECKED	SECTION	TOWNSHIP	RANGE
SLB	PRJ	5	16	19

ARDURRA
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4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License #2610

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION
Printed copies of this Sketch and Description are not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper. Digital copies are not valid without the Electronic Signature as set forth in Administrative Rule 5J-17, Florida Administrative Code.

Digitally signed by With Seal
DN: C=US, E=pjackson@ardurra.com, O="Ardurra Group, Inc.", OU=Survey SE, CN=With Seal
Location: FLORIDA
Reason: I attest to the accuracy and integrity of this document
Contact Info: pjackson@ardurra.com
Date: 2025.05.07 11:46:02-04'00'

PAUL R. JACKSON
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LS#6719
CERTIFICATE OF AUTHORIZATION No. LB 2610

\\oca-fs01\d\Job Folders\2025\2025-0461 JF PH II\DWG\CLUBHOUSE SOD.dwg, May 7, 2025 10:52 AM, ARDURRA GROUP, INC.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S05°34'20"W	88.87'
L2	S06°13'06"E	73.18'
L3	S37°06'06"W	85.43'
L4	S43°44'04"W	15.00'
L5	S66°18'08"W	75.34'
L6	N83°44'53"W	127.75'
L7	N65°54'01"W	82.24'
L8	N84°24'25"W	33.61'
L9	N11°40'17"W	90.00'
L10	N00°55'22"E	86.25'
L11	N07°40'39"E	52.82'
L12	S75°27'43"E	181.28'
L19	N14°32'17"E	87.79'
L20	S75°27'43"E	135.29'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	22.39'	25.00'	51°19'04"	S40°11'49"W	21.65'
C2	271.31'	55.00'	282°38'08"	S75°27'43"E	68.75'
C3	22.39'	25.00'	51°19'04"	N11°07'15"W	21.65'

SURVEYOR'S NOTES:

1. THIS IS NOT A FIELD SURVEY. THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED IN ACCORDANCE WITH STANDARDS OF PRACTICE FOR SURVEYORS AND MAPPERS AS SET FORTH IN ADMINISTRATIVE RULE 5J-17, FLORIDA ADMINISTRATIVE CODE.
2. BEARINGS ARE BASED ON EXISTING EAST RIGHT-OF-WAY LINE OF SW 179TH AVENUE ROAD , BEING NORTH 14°32'17" WEST, AS SHOWN HEREON.
3. DISTANCES SHOWN HEREON ARE IN U.S. FEET.
4. THIS SKETCH AND DESCRIPTION INCLUDES SHEETS 1, 2 AND 3 OF THREE SHEETS OF WHICH, ONE IS NOT VALID WITHOUT THE OTHER.
5. PRINTED COPIES OF THIS SKETCH AND LEGAL DESCRIPTION ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. DIGITAL COPIES ARE NOT CONSIDERED VALID WITHOUT THE ELECTRONIC SIGNATURE AS SET FORTH IN ADMINISTRATIVE RULE 5J-17, FLORIDA ADMINISTRATIVE CODE.

*SEE SHEET 1 FOR SKETCH
*SEE SHEET 3 FOR LEGAL DESCRIPTION

VIKINGS, LLC

CLUBHOUSE PARCEL

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4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
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www.Ardurra.com
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\\oca-fs01\d\Job Folders\2025\2025-0461 JF PH II\DWG\CLUBHOUSE SOD.dwg, May 7, 2025 10:52 AM, ARDURRA GROUP, INC.

Plotted: 5/11/2025 10:34:44 AM : Chuck Pigeon : LTScale: 40.00 : DimScale: 30.00 : PSLtscale: 0
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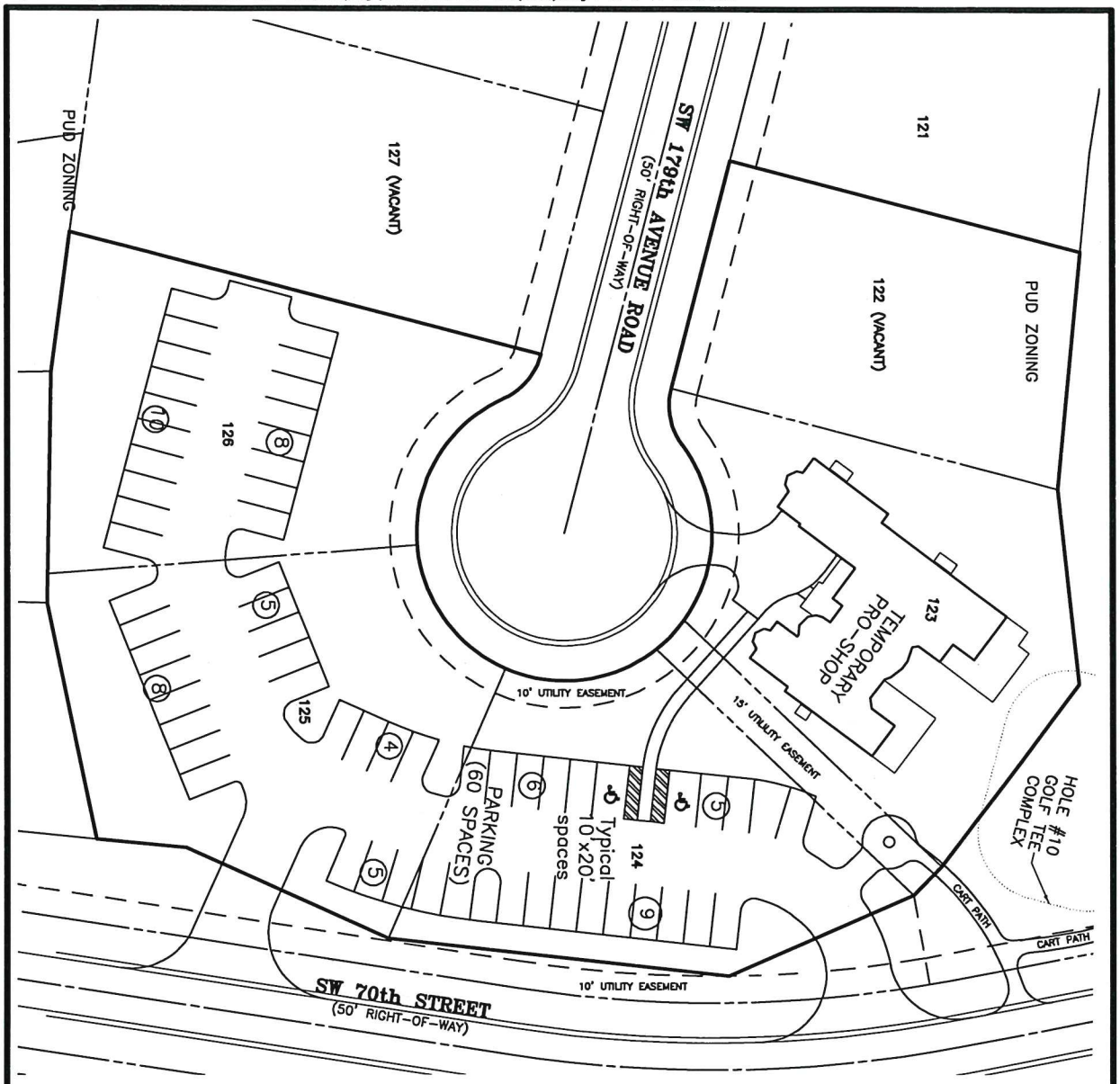

LOT AREAS:		
HOUSE	5,493	sq. ft.
DRIVEWAY	929	sq. ft.
WALKWAYS	14	sq. ft.
PADS	128	sq. ft.
PERMOUS	8,815	sq. ft.
TOTAL	15,379	sq. ft.

TOTAL DRIVEWAY (APPROXIMATE)	1,106	sq. ft.

TOTAL SITE AREA	1.80	Acres

1 inch = 30 feet @ 11"X17" Size
30 0 15 30

N
W E S

OWNER:
VIKINGS, LLC
17985 SW 64th PLACE
DUNNELLON, FL 34432

ADDRESS:
6933 S.W. 179TH AVENUE ROAD

001 OF 002

ARDURRA
ARDURRA GROUP NORTH CAROLINA

CIVIL ENGINEERS • PLANNERS
SURVEYORS & MAPPERS
925 S.E. 17th Street
Suite A
Ocala, Florida 34471
(352) 861-7799 voice

REGISTRATION NUMBERS:
ENGINEERING NO. 26531 • SURVEYING & MAPPING LB NO. 2610

SCALE:	1" = 30'
DATE:	5.5.2025
CHECKED:	CAP
DRAWN:	DMD
FIELD BOOK:	N/A
PAGE.:	N/A
DATUM:	N/A
FILE NO.:	127.88.000
JOB NO.:	127.88
SHEET:	001 OF 002

CONCEPT SITE PLAN
TEMPORARY PRO-SHOP

SECTION 5,6,8, TOWNSHIP 16 SOUTH, RANGE 19 EAST, MARION COUNTY, FLORIDA

NO.	DATE:	REVISIONS:	APP'D. BY
1	6-13-07	REVISED PARKING LAYOUT LOTS 124-127	CAP
2	5-05-25	REMOVED LOT 127, UPDATED LOT LINES.	CAP

Plotted: 5/11/2025 10:34:44 AM : Chuck Pigeon : LTScale: 40.00 : DimScale: 30.00 : PSLtscale: 0
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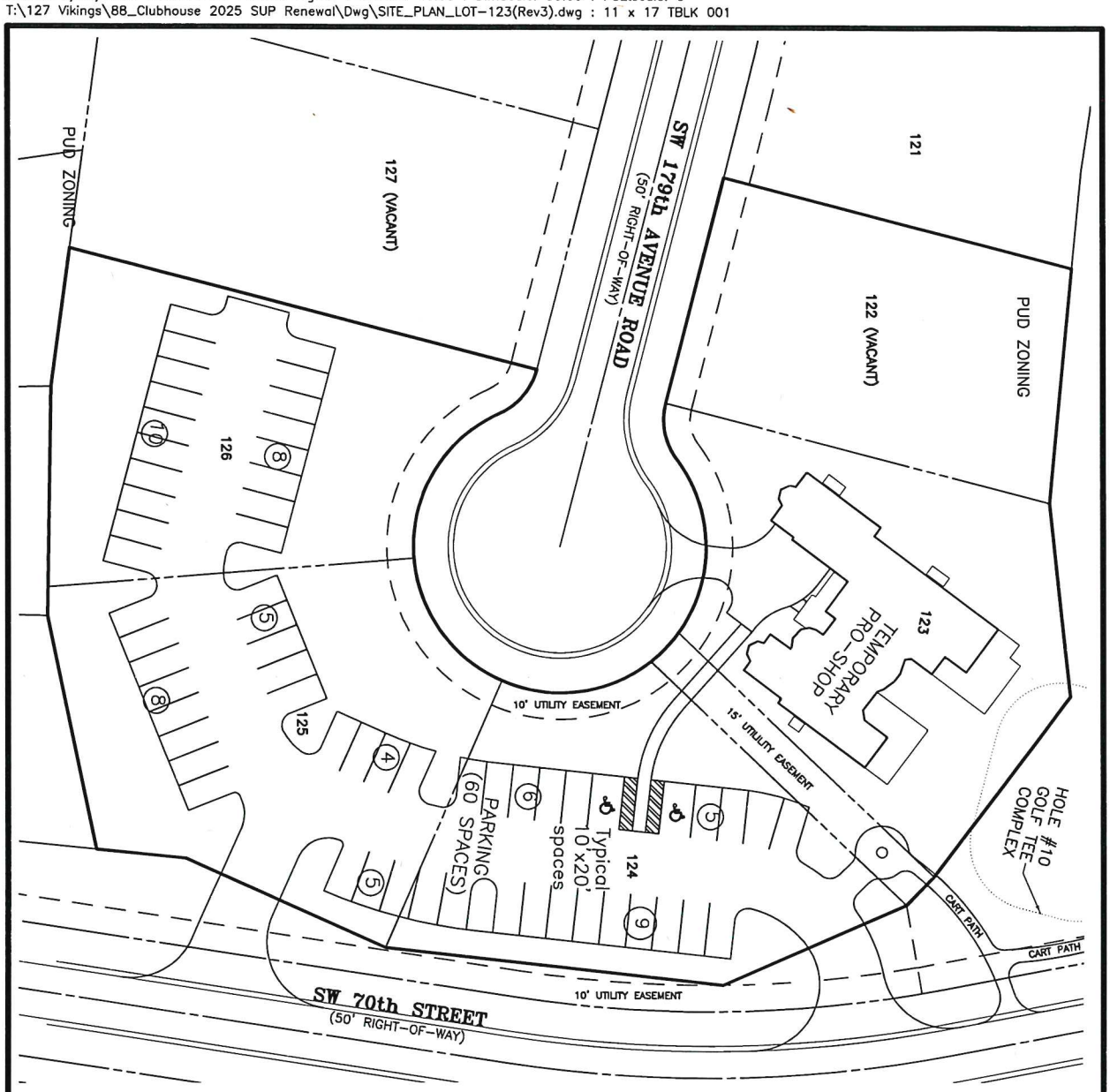


LOT AREAS:		
HOUSE	5,493	sq. ft.
DRIVEWAY	929	sq. ft.
WALKWAYS	14	sq. ft.
PADS	128	sq. ft.
PERVIOUS	8,815	sq. ft.
TOTAL	15,379	sq. ft.

TOTAL SITE AREA	1.80	Acres
TOTAL DRIVEWAY (APPROXIMATE)	1,106	sq. ft.

1 inch = 30 feet @ 11'X17" Size

30 0 15 30

N E S W

OWNER:
VIKINGS, LLC
17985 SW 64th PLACE
DUNNELLON, FL 34432

ADDRESS:
6933 S.W. 179TH AVENUE ROAD

ARDURRA
ARDURRA GROUP NORTH CAROLINA
CIVIL ENGINEERS • PLANNERS
SURVEYORS & MAPPERS
925 S.E. 17th Street
Suite A
Ocala, Florida 34471
(352) 861-7799 voice

REGISTRATION NUMBERS:
ENGINEERING: NO. 26531 • SURVEYING & MAPPING: LB NO. 2610

SCALE:	1" = 30'
DATE:	5.5.2025
CHECKED:	CAP
DRAWN:	DMD
FIELD BOOK:	N/A
PAGE.:	N/A
DATUM:	N/A
FILE NO.:	127.88.000
JOB NO.:	127.88
SHEET:	001 OF 002

CONCEPT SITE PLAN
TEMPORARY PRO-SHOP

SECTION 5,6,8, TOWNSHIP 16 SOUTH, RANGE 19 EAST, MARION COUNTY, FLORIDA

NO.	DATE:	REVISIONS:	APP'D. BY
1	6-13-07	REVISED PARKING LAYOUT LOTS 124-127	CAP
2	5-05-25	REMOVED LOT 127, UPDATED LOT LINES.	CAP

001 OF 002

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: (BY ARDURRA)

A PARCEL OF LAND LOCATED IN SECTION 5, TOWNSHIP 16 SOUTH, RANGE 19 EAST, MARION COUNTY FLORIDA, SAID PARCEL ALSO BEING ALL OF LOT 124 AND A PORTION OF TRACT 24 OF JULIETTE FALLS ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGES 79 THROUGH 96, AND ALL OF LOTS 122, 125 AND 126 OF JULIETTE FALLS FIRST REPLAT ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 11, PAGE 16, AND ALL OF LOT 123 OF JULIETTE FALLS SECOND REPLAT ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 11, PAGE 111, ALL RECORDS REFERENCES HEREIN ARE OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 122 OF THE AFORESAID JULIETTE FALLS FIRST REPLAT; THENCE, WITH THE EAST LINE THEREOF, SOUTH 05°34'20" WEST A DISTANCE OF 88.87 FEET TO THE EASTERNMOST CORNER THEREOF; THENCE, WITH THE EASTERLY LINES OF LOT 123 (PARCEL "P") OF JULIETTE FALLS SECOND REPLAT ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 11, PAGE 111 THE FOLLOWING TWO (2) COURSES: 1) SOUTH 06°13'06" EAST A DISTANCE OF 73.18 FEET; 2) SOUTH 37°06'06" WEST A DISTANCE OF 85.43 FEET TO THE SOUTHERNMOST CORNER THEREOF; THENCE, THROUGH A PORTION OF TRACT 24 OF SAID PLAT OF JULIETTE FALLS (PLAT BOOK 9, PAGES 79 THROUGH 96), SOUTH 43°44'04" WEST A DISTANCE OF 15.00 FEET TO THE EASTERNMOST CORNER OF LOT 124 OF SAID PLAT OF JULIETTE FALLS; THENCE, WITH THE SOUTHERLY LINES OF SAID LOT 124 THE FOLLOWING TWO (2) COURSES: 1) SOUTH 66°18'08" WEST A DISTANCE OF 75.34 FEET; 2) NORTH 83°44'53" WEST A DISTANCE OF 127.75 FEET TO THE SOUTHWESTERLY CORNER THEREOF, ALSO BEING THE SOUTHERNMOST CORNER OF LOT 125 OF SAID JULIETT FALLS FIRST REPLAT; THENCE, WITH THE SOUTHERLY AND WESTERLY LINES OF LOTS 125 AND 126 OF JULIETTE FALLS FIRST REPLAT THE FOLLOWING FIVE (5) COURSES: 1) NORTH 65°54'01" WEST A DISTANCE OF 82.24 FEET; 2) NORTH 84°24'25" WEST A DISTANCE OF 33.61 FEET; 3) NORTH 11°40'17" WEST A DISTANCE OF 90.00 FEET; 4) NORTH 00°55'22" EAST A DISTANCE OF 86.25 FEET; 5) NORTH 07°40'39" EAST A DISTANCE OF 52.82 FEET TO THE NORTHWEST CORNER OF SAID LOT 126; THENCE, WITH THE NORTH LINE THEREOF, SOUTH 75°27'43" EAST A DISTANCE OF 181.28 FEET TO THE WEST RIGHT-OF-WAY LINE OF SW 179TH ROAD AS SHOWN AND DELINEATED ON SAID PLAT OF JULIETTE FALLS (PLAT BOOK 9, PAGES 79 THROUGH 96); THENCE, WITH SAID RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES: 1) WITH THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN INTERIOR ANGLE OF 51°19'04", A CHORD WHICH BEARS SOUTH 40°11'49" WEST AT 21.65 FEET, FOR AN ARC DISTANCE OF 22.39 FEET TO A POINT OF REVERSE CURVATURE; 2) WITH THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 55.00 FEET, AN INTERIOR ANGLE OF 282°38'08", A CHORD WHICH BEARS SOUTH 75°27'43" EAST AT 68.75 FEET, FOR AN ARC DISTANCE OF 271.31 FEET TO A POINT OF REVERSE CURVATURE; 3) WITH THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN INTERIOR ANGLE OF 51°19'04", A CHORD WHICH BEARS NORTH 11°07'15" WEST AT 21.65 FEET, FOR AN ARC DISTANCE OF 22.39 FEET TO A POINT OF TANGENCY; 4) NORTH 14°32'17" EAST A DISTANCE OF 87.79 FEET TO THE NORTHWESTERLY CORNER OF LOT 122 OF SAID JULIETTE FALLS FIRST REPLAT; THENCE, WITH THE NORTHERLY LINE THEREOF, SOUTH 75°27'43" EAST A DISTANCE OF 135.29 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINING 1.800 ACRES (78395 SQUARE FEET) OF LAND, MORE OR LESS.

*SEE SHEET 1 FOR LEGAL DESCRIPTION
*SEE SHEET 2 FOR SURVEYOR'S NOTES, LINE & CURVE TABLES

VIKINGS, LLC

CLUBHOUSE PARCEL

ARDURRA
COLLABORATE. INNOVATE. CREATE.

4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License #2610

\\oca-fs01\d\Job Folders\2025\2025-0461 JF PH II\DWG\CLUBHOUSE SOD.dwg, May 7, 2025 10:52 AM, ARDURRA GROUP, Inc.

DESCRIPTION: (prepared by Ardurra)

A Parcel of Land located in Section 5, Township 16 South, Range 19 East, Marion County Florida, said Parcel also being all of Lot 124 and a portion of Tract 24 of Juliette Falls according to the Plat thereof recorded in Plat Book 9, Pages 79 through 96, and all of Lots 122, 125 and 126 of Juliette Falls First Replat according to the Plat thereof recorded in Plat Book 11, Page 16, and all of Lot 123 of Juliette Falls Second Replat according to the Plat thereof recorded in Plat Book 11, Page 111, all records references herein are of the Public Records of Marion County, Florida, said Parcel of Land being more particularly described as follows:

Begin at the northeast corner of Lot 122 of the aforesaid Juliette Falls First Replat; Thence, with the east line thereof, South 05°34'20" West a Distance of 88.87 feet to the easternmost corner thereof; Thence, with the easterly lines of Lot 123 (Parcel "P") of Juliette Falls Second Replat according to the Plat thereof recorded in Plat Book 11, Page 111 the following two (2) courses: 1) South 06°13'06" East a Distance of 73.18 feet; 2) South 37°06'06" West a Distance of 85.43 feet to the southernmost corner thereof; Thence, through a portion of Tract 24 of said Plat of Juliette Falls (Plat Book 9, Pages 79 through 96), South 43°44'04" West a Distance of 15.00 feet to the easternmost corner of Lot 124 of said Plat of Juliette Falls; Thence, with the southerly lines of said Lot 124 the following two (2) courses: 1) South 66°18'08" West a Distance of 75.34 feet; 2) North 83°44'53" West a Distance of 127.75 feet to the southwesterly corner thereof, also being the southernmost corner of Lot 125 of said Juliett Falls First Replat; Thence, with the southerly and westerly lines of Lots 125 and 126 of Juliette Falls First Replat the following five (5) courses: 1) North 65°54'01" West a Distance of 82.24 feet; 2) North 84°24'25" West a Distance of 33.61 feet; 3) North 11°40'17" West a Distance of 90.00 feet; 4) North 00°55'22" East a Distance of 86.25 feet; 5) North 07°40'39" East a Distance of 52.82 feet to the northwest corner of said Lot 126; Thence, with the north line thereof, South 75°27'43" East a Distance of 181.28 feet to the west Right-of-Way line of SW 179th Road as shown and delineated on said Plat of Juliette Falls (Plat Book 9, Pages 79 through 96); Thence, with said Right-of-Way line the following four (4) courses: 1) with the arc of a curve to the right, said curve having a radius of 25.00 feet, an interior angle of 51°19'04", a chord which bears South 40°11'49" West at 21.65 feet, for an arc Distance of 22.39 feet to a point of reverse curvature; 2) with the arc of a curve to the left, said curve having a radius of 55.00 feet, an interior angle of 282°38'08", a chord which bears South 75°27'43" East at 68.75 feet, for an arc Distance of 271.31 feet to a point of reverse curvature; 3) with the arc of a curve to the right, said curve having a radius of 25.00 feet, an interior angle of 51°19'04", a chord which bears North 11°07'15" West at 21.65 feet, for an arc Distance of 22.39 feet to a point of tangency; 4) North 14°32'17" East a Distance of 87.79 feet to the northwesterly corner of Lot 122 of said Juliette Falls First Replat; Thence, with

the northerly line thereof, South 75°27'43" East a Distance of 135.29 feet to the Point of Beginning.

Said Parcel of Land containing 1.800 Acres (78395 square feet) of land, more or less.

DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY
DATE: 07/23/2004 04:09:55 PM
FILE #: 2004106628 OR BK 03780 PGS 1381-1383
RECORDING FEES 27.00
DEED DOC TAX 26,250.00

This Instrument Prepared by:
Steven H. Gray/rd (04-2335)
Gray, Ackerman & Haines, P.A.
125 NE 1st Avenue, Ste. 1
Ocala, FL 34470

PROPERTY APPRAISER'S
PID NO's: 34546-000-00; 34547-000-00;
34549-000-00; 34561-000-00; and 34563-000-00

[SPACE ABOVE THIS LINE FOR RECORDING DATA]

WARRANTY DEED (STATUTORY FORM- SECTION 689.02, F.S.)

This Indenture, made this 28th day of July, 2004 between **SANDY McBRIDE, INDIVIDUALLY AND AS TRUSTEE,** whose post office address is 1533 Fort King Street, Ocala, Florida 34471 (hereinafter *"Grantor"*), and **VIKINGS, LLC, a Pennsylvania Limited Liability Company** whose post office address is c/o Penn Aviation, 634 Long Lane, Suite 1, Jersey Shore, Pennsylvania 17440 (hereinafter *"Grantee"*).

WITNESSETH that said Grantor, for and in consideration of the sum of Ten Dollars ($10.00), and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situated, lying and being in Marion County, Florida, to-wit:

SEE EXHIBIT "A"

GRANTOR REPRESENTS AND WARRANTS THAT THE PROPERTY DESCRIBED IS NOT HIS HOMESTEAD NOR IS IT CONTIGUOUS TO LANDS CLAIMED BY HIM AS HOMESTEAD AS DEFINED BY ARTICLE 10, SECTION 4 OF THE FLORIDA CONSTITUTION, THAT GRANTOR DOES NOT RESIDE ON THE REAL PROPERTY WHICH IS THE SUBJECT MATTER OF THIS DEED, NOR IS THE REAL PROPERTY ADJACENT TO OR CONTIGUOUS WITH HIS HOMESTEAD. NO MEMBER OF GRANTOR'S FAMILY DEPENDENT UPON GRANTOR FOR SUPPORT RESIDES UPON THE REAL PROPERTY.

Subject to the following:

1. Taxes and assessments for the year 2004 and subsequent years.

2. Development Order recorded in OR Book 1058, Page 1633, as modified in OR Book 1673, Page 1115, OR Book 2990, Page 604 and OR Book 3085, Page 1422, all being among the Public Records of Marion County, Florida.

And said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

"Grantor" and *"Grantee"* are used for singular or plural, as context required.

IN WITNESS WHEREOF, Grantors has hereunto set their hand and seal the day and year first above written.

Signed and delivered in our presence as witnesses:

Print Name:

Print Name:

AS TO GRANTOR:

SANDY McBRIDE, INDIVIDUALLY AND AS TRUSTEE

STATE OF FLORIDA
COUNTY OF MARION

The foregoing WARRANTY DEED was acknowledged before me by **SANDY McBRIDE, INDIVIDUALLY AND AS TRUSTEE,** who is: _____ personally known to me OR ____ produced _____ as identification.

Dated: this 30rd day of July 2004.

RENA L. DAVITTO
Notary Public, State of Florida
My comm. expires July 11, 2007
Comm. No. DD226203

Print Name: _____
Notary Public, State of Florida
Commission number _____
Commission expires _____

EXHIBIT "A"

Parcel 1 - Tiffany Tract

The Northwest 1/4 of Section 8; The West 1/2 of Section 5; AND that portion of the Northeast 1/4 of the Northeast 1/4 of Section 6, lying South of State Road 40; EXCEPT that portion of the West 1/2 of Section 5 lying within the right of way of State Road No. 40, All of the above lying in Township 16 South, Range 19 East, Marion County, Florida;
Parcel 2

All that part of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 16 South, Range 19 East, Marion County, Florida, lying East of the Westerly Boundary of abandoned Seaboard Airline Railroad being more particularly described as follows:

Begin at the Northeast corner of said Northeast 1/4 of the Southwest 1/4, thence South 00° 33' 20" East 1331.84 feet to the Southeast corner of said Northeast 1/4 of the Southwest 1/4, thence South 89° 25' 54" West along the South line of said Northeast 1/4 of the Southwest 1/4, a distance of 876.06 feet to the Westerly boundary of abandoned Seaboard Airline Railroad, thence North 02° 44' 15" West along said Westerly boundary a distance of 1331.07 feet to the North line of said Northeast 1/4 of the Southwest 1/4, thence North 89° 20' 13" East along said North line a distance of 926.93 feet to the Point of Beginning.

ARDURRA

March 27, 2025

Marion County Zoning Department
2710 E. Silver Springs Blvd.
Ocala, FL 34470

Project No. 127.88
Ardurra No. 2025-0328-00

Subject: **Application for Special Use Permit and Duration Extension**
Juliette Falls Temporary Golf Pro-Shop
Section 5, TWN 16S, RNG 19 E
Marion Co., FL

To Whom it may concern:

Enclosed is an original signed copy of the application and supporting documentation for a Special Use Permit to extend the Special Use duration to utilize the existing Temporary Pro-Shop Facilities at the Juliette Falls development until such time as the permanent clubhouse facility is constructed. This submittal is being submitted electronically and by hard copy. This submittal includes the following supporting documentation for this application:

- Application form and Letter of Authorization
- Copies of Property Deed including legal description
- Legal Description of SUP area.
- Site Plan sketch of existing temporary Pro-Shop facility, including temporary parking areas.
- Site analysis and site specific information report with written findings of fact in accordance with Article 4, section 4.6.4a.

The application fee of $300 will be paid upon notice that the application is received and payment can be made through the County credit card use payment system.

Juliette Falls has realized steady improvement and increased use of the golf facilities at the community in the last few years. Home building has improved, however, is still not a significant volume in the area of Juliette Falls. At the same time the cost of construction has increased significantly and impacted the permanent clubhouse budget. As a result, the permanent golf membership and anticipated community sales funding to construct a permanent clubhouse facility has not increased accordingly. Although the golf facilities remain one of the premier courses in Marion County, it is directly attributed to the economical Pro-shop facilities and ability to channel golf revenue directly back into the quality and maintenance of the course and existing Pro-Shop building.

ARDURRA

Vikings, LLC therefore, respectfully requests a five (5) year extension of time be granted to continue to utilize the existing temporary Pro-Shop at the community. This time extension will provide more time for community sales to increase, and the related increase in golf membership levels, as well as time to work through the necessary funding increases to better match financing and construction cost for a future permanent clubhouse facility.

We respectfully request the processing of this application with the Zoning Commission and Board of County Commission.

Should you have any questions or need additional information please do not hesitate to contact me.

Sincerely,

Chuck Pigeon, P.E.
Principal Engineer
Ardurra Group, Inc

Enclosures

Cc: Ron Clapper, Vikings, LLC

Juliette Falls
A Golf & Spa Community

LETTER OF AUTHORIZATION

March 19, 2025

Ms. Alice Webber
Marion County Growth Services
Marion County Zoning Division
2710 E. Silver Springs Blvd.
Ocala, FL 34470

Dear Ms. Webber

I hereby authorize Ardurra Group, Inc. to act as agents on behalf of Vikings, LLC, with regard to Special Use Permit application for property located within Section 5, Township 16 South, Range 19 East, Marion County, Florida and more specifically defined as Marion County Tax Parcels No. 34546-122-00, 34546-123-00 and 34546-127-00

Sincerely,

Ronald Clapper
President/Owner
Vikings, LLC
Juliette Falls

STATE OF FLORIDA
COUNTY OF MARION
Sworn to and subscribed before me, a Notary Public for the State of Florida County of Marion, this 19th day of March, 2025

Lynne C Cioffi
Notary Signature

Notary Public State of Florida
Lynne C Cioffi
My Commission
HH 226724
Exp. 5/3/2026

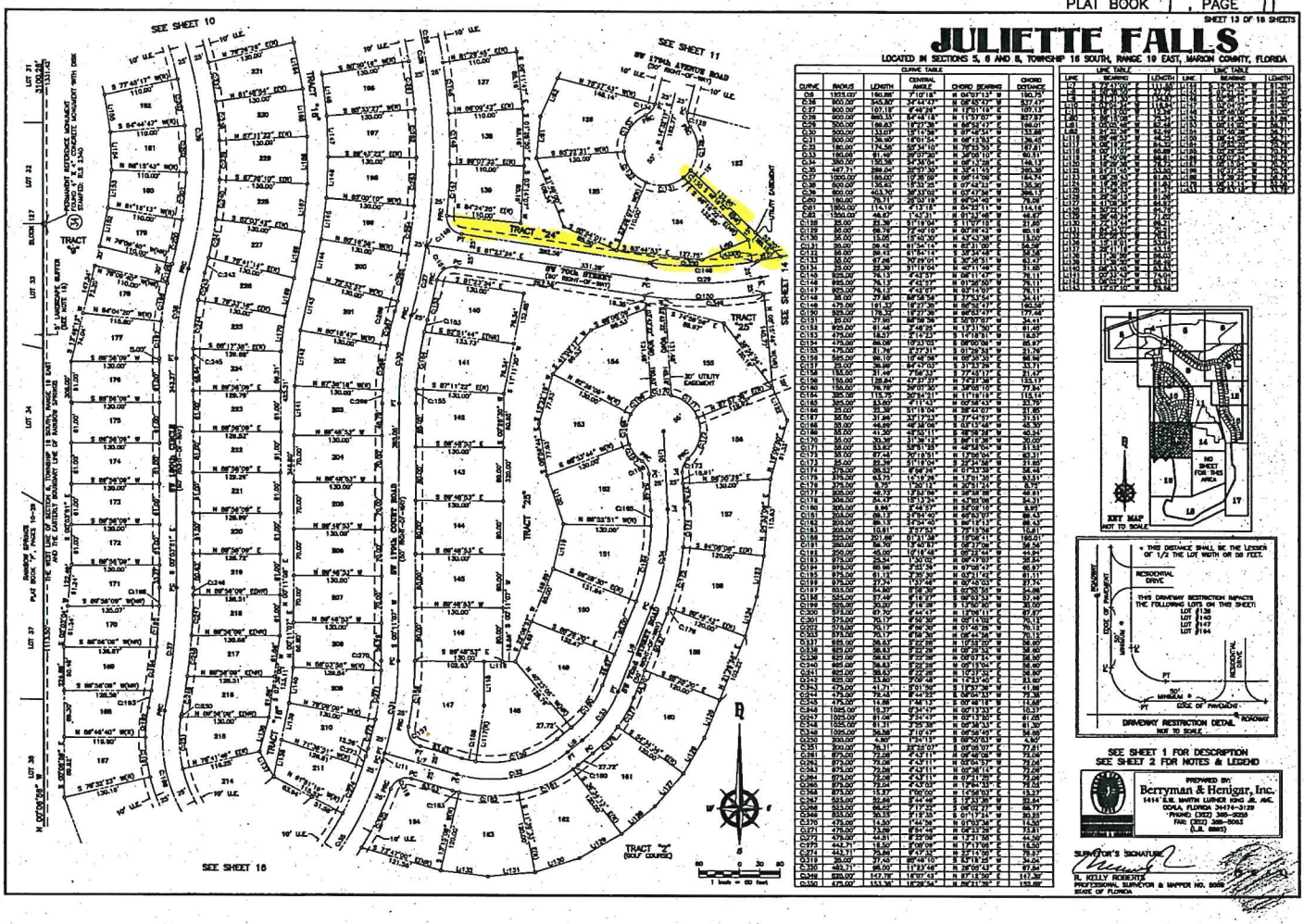
Sent email 5/1/25
4m to Chuck 5/15/25
Spoke w/ Chuck on 6/5 he c/b out. Send us raw paperwork & remove that one parcel 34546-127-00

PLAT BOOK 9, PAGE 91

SHEET 13 OF 16 SHEETS

JULIETTE FALLS

LOCATED IN SECTIONS 5, 8 AND 9, TOWNSHIP 16 SOUTH, RANGE 19 EAST, MARION COUNTY, FLORIDA



AR 32731
34546-127-00 deeded to Adams Homes 8/29/2022

RESOLUTION NO. 20-R-225

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A RENEWAL AND EXTENSION OF A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a renewal and extension of a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on June 29, 2020; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida at its meeting on Tuesday, July 21, 2020. Now therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. SPECIAL USE PERMIT APPLICATION APPROVAL 200601SU Vikings, LLC. The application requesting a renewal and extension of Special Use Permit50602SU (15-R-186), Articles 2 and 4 of the Marion County Land Development Code as submitted by Chuck A. Pigeon, Pigeon-Roberts & Associates, LLC, Ocala, FL, a copy of said application being on file with the Marion County Growth Services Director, is hereby approved for the on-going use of the temporary golf pro-shop and the related pro-shop facilities at Juliette Falls in a PUD (Planned Unit Development) zone, on Parcel Account Nos. 34546-122-00, 34546-123-00 and 34546-127-00, 2.17 Acres.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission recommending approval of the Special Use Permit and the Board approves the Special Use Permit subject to the following conditions:

1. The site has been developed and operated with the original concept plan submitted for 20070606SU, 100709SU and 150602SU and conditions as provided in previous special use permits approved have been implemented.

2. The ingress/egress shall be limited to existing driveways off NW 70th Street. Driveways have permitted and maintain paved aprons consistent with Land Development Code requirements.

3. No change in operations or services provided are proposed.

4. A new Special Use Permit will be required for any future expansion of the approved use.

5. The established buffering shall be maintained.

6. The Special Use Permit shall expire 6/16/2025. The owner may submit a new Special Use Permit application for consideration to renew and extend this permit in the future.

SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 21st day of July, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

DAVID R. ELLSPERMANN, CLERK

KATHY BRYANT, CHAIRMAN

Jimmy H. Cowan, Jr., CFA

Marion County Property Appraiser

501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card

Real Estate

34546-122-00

Prime Key: 3473787 | MAP IT+ | Current as of 4/14/2025

Property Information

VIKINGS LLC
17985 SW 64TH PL
DUNNELLON FL 34432-9532

Taxes / Assessments:
Map ID: 25
Millage: 9002 - UNINCORPORATED

M.S.T.U.
PC: 00
Acres: .29

2024 Certified Value

Land Just Value	$69,696
Buildings	$0
Miscellaneous	$0
Total Just Value	$69,696
Total Assessed Value	$13,914
Exemptions	$0
Total Taxable	$13,914
School Taxable	$69,696

Impact Ex Codes: ($55,782)

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$69,696	$0	$0	$69,696	$13,914	$0	$13,914
2023	$53,046	$0	$0	$53,046	$12,649	$0	$12,649
2022	$24,006	$0	$0	$24,006	$11,499	$0	$11,499

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price

Property Description

SEC 05 TWP 16 RGE 19
PLAT BOOK 011 PAGE 016
JULIETTE FALLS FIRST REPLAT
LOT 122
Parent Parcel: 34546-000-00

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
0020		88.0	142.0	PUD	88.00	FF						
0496		.0	.0	PUD	1.00	UT						

Neighborhood 8130 - JULIETTE FALLS-GOLF 600-700
Mkt: 7 70

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width

Appraiser Notes

Planning and Building
** Permit Search **

Permit Number	Date Issued	Date Completed	Description

Jimmy H. Cowan, Jr., CFA
Marion County Property Appraiser
501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card
Real Estate

34546-123-00
GOOGLE Street View
Prime Key: 3473795

MAP IT+

Current as of 4/14/2025

Property Information

VIKINGS LLC
17985 SW 64TH PL
DUNNELLON FL 34432-9532

Taxes / Assessments:
Map ID: 25
Millage: 9002 - UNINCORPORATED

M.S.T.U.
PC: 38
Acres: 1.48

Situs: 6933 SW 179TH AVENUE RD
DUNNELLON

2024 Certified Property Value by Special

Land Just Value	N/A
Buildings	N/A
Miscellaneous	N/A
Total Just Value	$427,249
Total Assessed Value	$427,249
Exemptions	$0
Total Taxable	$427,249

Ex Codes:

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$64,469	$1,311,803	$16,025	$427,249	$427,249	$0	$427,249
2023	$64,469	$1,358,352	$16,031	$427,249	$427,249	$0	$427,249
2022	$64,469	$1,169,293	$16,037	$427,249	$427,249	$0	$427,249

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price

Property Description

SEC 05 TWP 16 RGE 19
PLAT BOOK 011 PAGE 111
JULIETTE FALLS SECOND REPLAT
LOTS 123.124.125.126
Parent Parcel: 34546-000-00

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
7710		117.0	141.0	PUD	16,497.00	SF						
0496		.0	.0	PUD	4.00	UT						
2830		.0	.0	PUD	47,972.00	SF						

Neighborhood 9970 - COMM SR 40 -US 41 TO NW 140TH

Mkt: 2 70

Traverse

Building 1 of 1

COM01=L14D26L1D11L7D4L8U4L7U35R4U68R6U5R23D36R2U3R16D3R10U3R1U11R15D41L2D18L4D4L10U4L4U9L1D2L12U8L7D5.

CAN02=L14D26R5U19R19U4L3U8L7D5.L14D26L1D11L22U35R4U58

CAN03=U10R6U5R23D25L8U10L21.U10R6U5

PTO04=U16R67D29L26D12L18U25L23.R23D36R28

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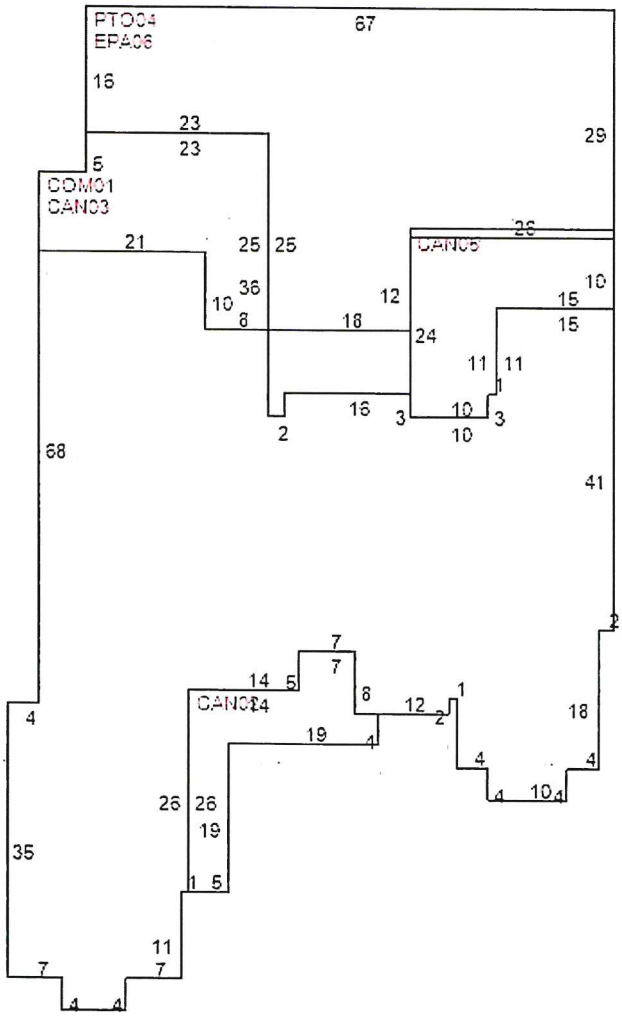
EPA06=U29L67D16R23D25R18U12R26.



Building Characteristics

Structure	4 - MASONRY NO PILAST
Effective Age	3 - 10-14 YRS
Condition	3
Quality Grade	990 - SUPERIOR
Inspected on	7/7/2020 by 117

Year Built 2007
Physical Deterioration 0%
Obsolescence: Functional 20%
Obsolescence: Locational 0%
Base Perimeter 454

Exterior Wall 32 CONC BLK-STUCO66 STONE VEN-BLK32 CONC BLK-STUCO

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	12.0	1.41	2007	0	4,900	M38 GOLF COURSE	67 %	N	Y
						M38 GOLF COURSE	19 %	N	N
						M21 RESTAURANT	14 %	N	Y
2	11.0	1.00	2007	0	289	CAN CANOPY-ATTACHD	100 %	N	N

3	12.0	1.00	2007	0	485 CAN CANOPY-ATTACHD	100 %	N	N
4	1.0	1.00	2007	0	1,860 PTO PATIO	100 %	N	N
5	12.0	1.00	2007	0	411 CAN CANOPY-ATTACHD	100 %	N	N
6	24.0	1.00	2008	0	1,860 EPA POOL ENC-A	100 %	N	N

Section: 1

Elevator Shafts: 0 **Aprtments:** 0 **Kitchens:** 1 **4 Fixture Baths:** 0 **2 Fixture Baths:** 1
Elevator Landings: 0 **Escalators:** 0 **Fireplaces:** 1 **3 Fixture Baths:** 2 **Extra Fixtures:** 12

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width
250 WALLS MASONRY	53.00	SF	50	2007	3	0.0	0.0
156 PAVING BRICK	3,438.00	SF	20	2007	5	0.0	0.0
144 PAVING ASPHALT	5,296.00	SF	5	2007	3	0.0	0.0
144 PAVING ASPHALT	4,396.00	SF	5	2007	3	0.0	0.0
159 PAV CONCRETE	480.00	SF	20	2007	3	0.0	0.0
105 FENCE CHAIN LK	88.00	LF	20	2007	3	0.0	0.0

Appraiser Notes

CLUBHOUSE FOR GOLF COURSE
JACARANDA V

Planning and Building
** Permit Search **

Permit Number	Date Issued	Date Completed	Description
M120733	12/1/2007	6/1/2008	EPA
M091768	9/1/2006	11/1/2007	CLUBHOUSE

Development Review Comments Letter

6/5/2025 10:42:31 AM

JULIETTE FALLS TEMP PRO-SHOP
ZO SUP #32731

ID	DESCRIPTION	REMARK	STATUS	DEPT
1	Special Use Permit	N/A	INFO	911
2	Special Use Permit	Stormwater is not opposed to the special use permit. The applicant is requesting a SUP for the purpose of renewing the existing special use permit for a temporary golf pro-shop. Parcels 34546-122-00, 34546-123-00, & 34546-127-00 are currently zoned PUD and are collectively 2.17 acres in size. There are no FEMA Flood Zones or County Flood Prone Areas on this site. Per the MCPA, parcels 34546-122-00 & 34546-127-00 currently have 0 SF of impervious coverage while parcel 34546-123-00 currently has 19,072 sf of impervious coverage. This site will be subject to a Major Site Plan or waiver when its existing and proposed impervious coverage exceeds the impervious coverage Per ARs 2540 & 3341.	INFO	ENGDRN
3	Special Use Permit	5/12/25 RECOMMEND APPROVE – Operation already exists, and no changes are being proposed. County traffic is unaware of any existing issues with the current operation.	INFO	ENGTRF
4	Special Use Permit	No issue with Fire	INFO	FRMSH
5	Special Use Permit	no comment	INFO	LSCAPE
6	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	LUCURR
7	Special Use Permit	Parcels 34546-122-00, 34546-123-00, and 34546-127-00 are located within the FGUA service territory. The special permit application is for the continued use of a temporary Golf Pro-Shop. Please note that FGUA is not part of the Marion County Development Review process. The applicant must notify FGUA of the continued use of water and any associated additional wastewater flows	INFO	UTIL
8	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	ZONE

SITE PHOTOS

Consistent with LDC Section 2.7.3.D, staff conducted a site visit on July 18, 2025. One (1) sign was posted and the below photos were taken.

Figure 1.
Sign posted along SW 179th Avenue Road cul-de-sac

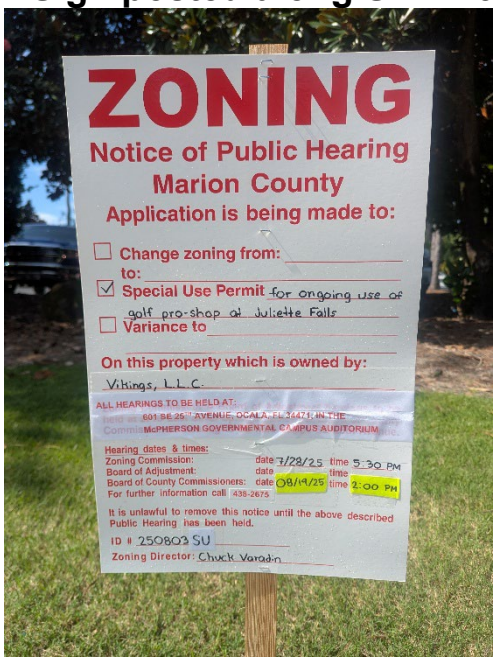


Figure 2.
Facing east along SW 70th Street from subject property

Figure 3.
Facing west along SW 70th Street from subject property

Figure 4.
Facing east of subject property

Figure 5.
Facing west of subject property along SW 70th Street

Figure 6.
Landscaping/buffering along SW 70th Street

Figure 7.
View of parking lot within subject property

Figure 8.
View of golf cart parking within subject property

Figure 9.
View of garbage collection area within parking lot

Figure 10.
View of dirt road from parking lot

Figure 11.
Facing north of subject property along SW 179th Avenue Road

Figure 11.
Landscaping/buffering along SW 179th Avenue Road cul-de-sac

Figure 12.
View of "No Parking" signs along SW 179th Avenue Road cul-de-sac

Figure 13.
View of golf cart path to the north of the subject property

Figure 14.
View of golf pro-shop along SW 179th Avenue Road cul-de-sac

Figure 15.
View of shop within clubhouse

Figure 16.
View of restaurant within clubhouse

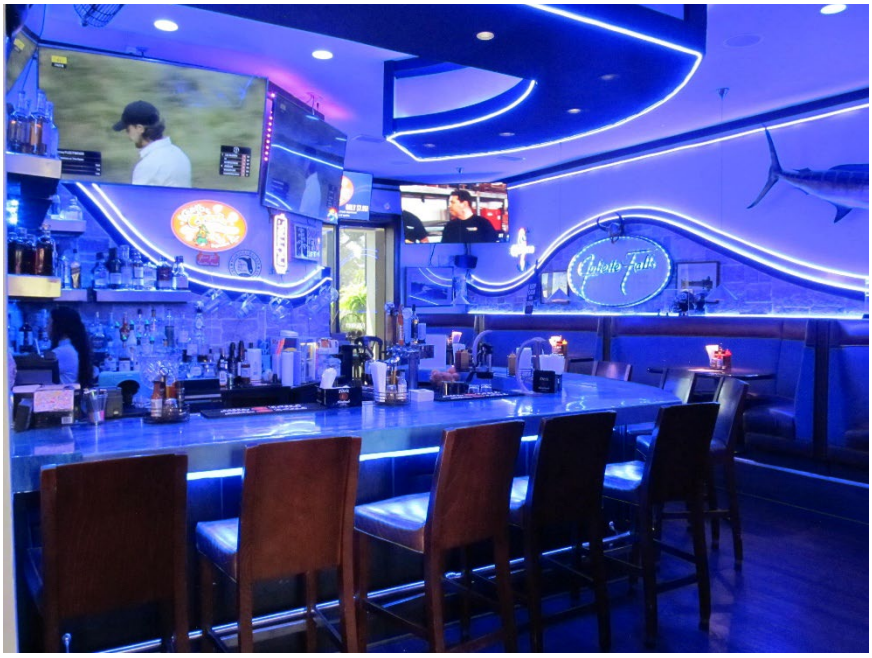


Figure 17.
View of outdoor patio

Figure 17.
View of golf course to the east of the subject property

ORDINANCE NO. 05-10

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING REZONING AND SPECIAL USE PERMIT PETITIONS AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Marion County, Florida (Board), is responsible for and has established the zoning of parcels of property in the unincorporated area of Marion County as reflected on the official Zoning Map, and

WHEREAS, property owner(s) have submitted petition(s) for rezonings and special use permits and such petitions identify the property by metes and bounds description or by the Marion County Property Appraiser parcel number and such identification of property is hereby incorporated into this ordinance by reference, and

WHEREAS, the Board has considered the recommendation of the Zoning Commission and has conducted the necessary public hearing and has approved the petitions contained in this ordinance, now therefore

BE IT ORDAINED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. REZONING AND SPECIAL USE PERMIT APPROVALS. The Board hereby approves the below-listed petitions for Rezonings and Special Use Permits and authorizes the necessary identification and changes on the official Zoning Map.

1. **AGENDA ITEM # 1** 050311Z Marino Family Limited Company, 971 Briarwoods Road, Franklin Lakes, NJ and Harvey Vandeven, Trustee, 4801 SE 11th Place, Ocala, FL

   Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from A-1 (General Agriculture) and PUD (Planned Unit Development) to PUD (Planned Unit Development) for the intended use of residential development and green space, on 301.50 acres, on a portion of Parcel No. 36966-000-00 and Parcel Nos. 36641-000-00 and 36643-000-00.

2. **AGENDA ITEM # 2** 050401Z John G. Lorito, 6400 South Pine Avenue, Ocala, FL

   Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from M-1 (Light Industrial) and B-2 (Community Business) to B-5 (Heavy Business) for the intended use of auto repair, boat retail sales, welding and building safes, and any other use permitted in a B-5 zone, on 2.91 acres, on a portion of Parcel No. 35862-000-00.

3. **AGENDA ITEM # 3** 050402Z Entin Family Living Trust, Jack Entin, Trustee, 9332 Stockton Road, Moorpark, CA

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from A-1 (General Agriculture) and B-2 (Community Business) to A-1 (General Agriculture) for the intended use of any use permitted in an A-1 zone, on 28.02 acres, on Parcel No. 12558-001-00.

4. **AGENDA ITEM # 4** 050404SU Chandreka and Chandra Maharaj, 1550 NW 165th Street, Citra, FL

Requests a Special Use Permit pursuant to the Marion County Land Development Code, Section 5.3, for the intended use of outdoor storage of boats, recreational vehicles, campers, etc., in a B-4 (Regional Business) zone, on 6.20 acres, on a portion of Parcel No. 03662-000-00.

See Resolution No. 05-R-128

5. **AGENDA ITEM # 5** 050405Z Steven Swett, P. O. Box 1, Dunnellon, FL

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from R-1 (Single Family Dwelling) to R-4 (Residential Mixed Use) for the intended use a mobile home, and any other use permitted in an R-4 zone, on 1.31 acres, on Parcel No. 3500-005-001.

6. **AGENDA ITEM # 6** 050406Z Steven Swett, P. O. Box 1, Dunnellon, FL

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from R-1 (Single Family Dwelling) to R-4 (Residential Mixed Use) for the intended use of a mobile home and any other use permitted in an R-4 zone, on 1.31 acres, on Parcel No. 3500-006-020.

7. **AGENDA ITEM # 7** 050407Z Maricamp, LLC, P. O. Box 6331, Ocala, FL

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from M-1 (Light Industrial) to R-1 (Single Family Dwelling) and B-2 (Community Business) for the intended use of commercial development on the west 660 feet zoned B-2 and the remainder of the property zoned R-1 for residential development, on 80.00 acres, on Parcel No. 37515-004-00.

8. **AGENDA ITEM # 8** 050409SU Glenn D. Counts, Counts Construction Co., Inc., 3021 NW 21st Street, Ocala, FL

Requests a Special Use Permit pursuant to the Marion County Land Development Code, Section 5.3, for the intended use of constructing a 15/25 kV electrical substation in an A-1 (General Agriculture) zone, on 0.92 acre, on a portion of Parcel No. 21140-001-02.

See Resolution No. 05-R-129

9. **AGENDA ITEM # 9** 050411Z Harvey Vandeven, 4260 NE 35th Street, Ocala, FL and Norman Anderson, M.D., 7104 SE 14th Court, Ocala, FL,

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from A-1 (General Agriculture), P-RV (Recreational Vehicle Park) and A-3 (Residential Agricultural Estate) to A-3 (Residential Agricultural Estate) for the intended use of development and modification of a hamlet subdivision, on 192.23 acres, on Parcel Nos. 39395-001-00 and 39393-000-00.

10. **AGENDA ITEM #10** 050412SU Citra Seventh Day Adventist Church of Southeastern Conference, P. O. Box 1015, Sparr, FL

Requests a Special Use Permit pursuant to the Marion County Land Development Code, Section 5.3, for the intended use of a new church building in an A-1 (General Agriculture) zone, on 1.82 acres, on Parcel Nos. 03668-000-00 and 03715-000-00.

See Resolution No. 05-R-130

11. **AGENDA ITEM #11** 050420Z Hal Lively, 15311 SE 105th Terrace Road, Summerfield, FL

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from B-2 (Community Business) Conditional to B-2 (Community Business), for the intended use of a drywall contractor's business inside a building, on 0.31 acre, on a portion of Parcel No. 1507-001-000.

12. **AGENDA ITEM #12** 050421SU Hal Lively, 15311 SE 105th Terrace Road, Summerfield, FL

Requests a Special Use Permit pursuant to the Marion County Land Development Code, Section 5.2, for the intended use of a drywall contractor's business inside a building, on 0.31 acre, on a portion of Parcel No. 1507-001-000.

See Resolution No. 05-R-131

13. **AGENDA ITEM #14** 050312Z Dustin Wiechens, 101 NE 1st Avenue, Ocala, FL

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from R-O (Residential Office) to B-2 (Community Business) for the intended use of any use permitted in a B-2 zone on 38.13 acres, on Parcel No. 36965-020-00.

14. **AGENDA ITEM #15** 050403Z Steven and Cathleen Snyder, 3806 NW 19th Avenue, Ocala, FL

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from R-1 (Single Family Dwelling) to R-4 (Residential Mixed Use) for the intended use of a double wide mobile home and any other use permitted in an R-4 zone, on 1.08 acres, on Parcel No. 13961-000-00.

15. **AGENDA ITEM #16** 050413Z The School Board of Marion County, 1105 SW 7th Road, Ocala, FL

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from A-3 (Residential Agricultural Estate) to GU (Government Use), for the intended use of an elementary school on 20.00 acres, on Parcel No. 35699-010-01.

16. **AGENDA ITEM #17** 050414SU Ft. McCoy Church of God, 14929 NE Hwy. 315, Ft. McCoy, FL

Requests a Special Use Permit pursuant to the Marion County Land Development Code, Section 5.9.5, for the intended use of a 250 ft. self-support lattice telecommunications tower and equipment in an A-1 (General Agriculture) zone, on 14.56 acres, on Parcel No. 09516-000-00.

See Resolution No. 05-R-132

17. **AGENDA ITEM #19** 050417Z Joy Lutheran Church, 7045 SW 83rd Place, Ocala, FL

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from Conditional B-2 (Community Business) to A-1 (General Agriculture) for any uses permitted in an A-1 zone, on 4.87 acres, on Parcel No. 3564-001-000.

18. **AGENDA ITEM #23** 050410SU 177022 Canada, Inc., Marcel LaCaille,14050 SW 16th Avenue, Ocala, FL

Requests a Special Use Permit pursuant to the Marion County Land Development Code, Section 5.3, for the intended use of constructing a 15/25 kV electrical substation in a B-2 (Community Business) zone, on 7.50 acres, on a portion of Parcel No. 41200-077-00.

See Resolution No. 05-R-133

19. **AGENDA ITEM # 24** 050422Z Vikings, LLC, 914 Pine Creek Avenue, Jersey Shore, PA

Requests a Zoning Change pursuant to the Marion County Land Development Code, Article 5, from R-1 (Single Family Dwelling) to PUD (Planned Unit Development) for the intended use of a residential subdivision and golf course community with flexible design standards, on 544.11 acres, on Parcel Nos. 34546-000-00, 34547-000-00, 34549-000-00, 34561-000-00, and 34563-000-00.

20. **AGENDA ITEM # 25** 050423SU Vikings, LLC, 914 Pine Creek Avenue, Jersey Shore, PA

Requests a Special Use Permit pursuant to the Marion County Land Development Code, Section 5.3, for the intended use of constructing two 12 inch public supply wells and one water treatment facility in a PUD (Planned Unit Development) zone, on 544.11 acres, on Parcel Nos. 34546-000-00, 34547-000-00, 34549-000-00, 34561-000-00, and 34563-000-00.

See Resolution No. 05-R-134

21. **AGENDA ITEM # 26** 050424SU Vikings, LLC, 914 Pine Creek Avenue, Jersey Shore, PA

Requests a Special Use Permit pursuant to the Marion County Land Development Code, Section 5.3, for the intended use of constructing a 101,000 GPD packaged wastewater treatment facility in a PUD (Planned Unit Development) zone, on 544.11 acres, on Parcel Nos. 34546-000-00, 34547-000-00, 34549-000-00, 34561-000-00, and 34563-000-00.

See Resolution No. 05-R-135

22. **AGENDA ITEM # 27** 050408SU Brats II, LLC, 1611 SE 58th Avenue, Summerfield, FL

Requests a Special Use Permit pursuant to the Marion County Land Development Code, Section 5.2, for the intended use of improvements to increase the efficiency of current mining operations in P-RV (Recreational Vehicle Park) and A-1 (General Agriculture) zones, on 24.26 acres, on Parcel No. 48390-001-00.

See Resolution No. 05-R-136

SECTION 2. EFFECTIVE DATE. A certified copy of this Ordinance as enacted shall be filed by the Clerk of the Board with the Office of the Secretary of State of the State of Florida within ten (10) days after enactment, and this Ordinance shall take effect in accordance with Section 125.66(2), Florida Statutes.

DULY ADOPTED this 19th day of April, 2005.

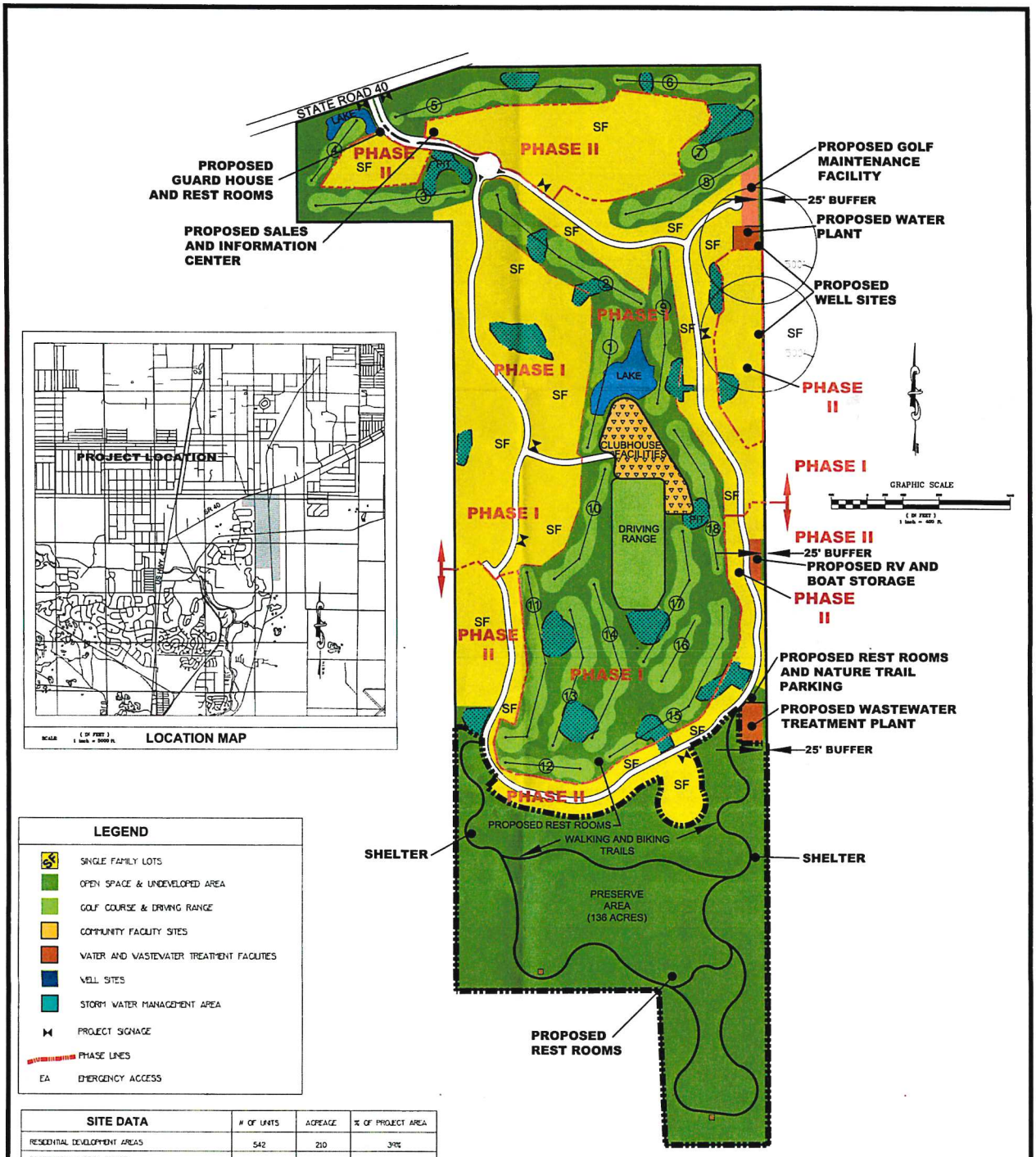
ATTEST:

DAVID R. ELLSPERMANN, CLERK

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

ANDY KESSELRING, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY OF STATE ON APRIL 28, 2005 THAT ORDINANCE WAS FILED ON APRIL 25, 2005.



LEGEND

- SINGLE FAMILY LOTS
- OPEN SPACE & UNDEVELOPED AREA
- GOLF COURSE & DRIVING RANGE
- COMMUNITY FACILITY SITES
- WATER AND WASTEWATER TREATMENT FACILITIES
- WELL SITES
- STORM WATER MANAGEMENT AREA
- PROJECT SIGNAGE
- PHASE LINES
- EA EMERGENCY ACCESS

SITE DATA	# OF UNITS	ACREAGE	% OF PROJECT AREA
RESIDENTIAL DEVELOPMENT AREAS	542	210	39%
RECREATION & OPEN SPACE			
Golf Courses (fairways, tees and greens)	——	70	13%
Open Space, Driving Range & Lakes	——	95	17%
Conservation Area	——	136	25%
Total Recreation & Open Space	——	301	55%
COMMUNITY FACILITY SITES			
Golf Clubhouse	——	8	2%
Maintance Building & RV and Boat Storage	——	3	.5%
Wells, Wastewater Treatment Plant & Water Plant	——	3	.5%
Total Community Facility Sites	——	14	3%
DRAINAGE RETENTION/ DETENTION AREAS	——	19	3%
TOTAL SITE AREA	——	544	100%
TOTAL DWELLING UNITS	542	——	——
GROSS DENSITY (Units / Acre)	1.0	——	——

DIMENSIONAL STANDARDS	SF LOTS
MINIMUM LOT WIDTH *	60 FT
FRONT SETBACK **	25 FT
SIDE TO SIDE BLDG SEPARATION (Minimum)	10 FT
MINIMUM REAR YARD SETBACK	5 FT
MINIMUM SIDE YARD SETBACK	5 FT

* MEASURED AT THE ACTUAL BUILDING LINE TO ALLOW FOR CUL-DE-SAC OR CURVILINEAR ROAD FRONTAGE.
** MEASURED FROM THE RIGHT-OF-WAY

GENERAL NOTES:

1. ALL STREETS WILL HAVE TWO-WAY TRAFFIC FLOW; VILLAGE ENTRANCES AND ROUND-A-BOUT, TYPICALLY WILL HAVE A LANDSCAPED SEPARATOR(S) WITH ONE-WAY TRAFFIC FLOW.
2. IDENTIFICATION AND DIRECTIONAL SIGNS WILL BE LOCATED AT THE VILLAGE ENTRANCES AND THROUGHOUT THE SITE AS INDICATED ON THIS PLAN.
3. DECORATIVE WOOD FENCING, BERMING AND WALLS MAY BE INSTALLED AROUND AND WITHIN THE SITE AND IN RECREATION AREAS IN KEEPING WITH THE DEVELOPMENT ESTATE CHARACTER.
4. ACCESSORY BUILDINGS AND POOLS WITH ENCLOSURES MAY BE AS CLOSE AS FIVE (5) FEET TO THE REAR LOT LINE.
5. LOT WIDTHS AT FRONT BUILDING SETBACK LINE ON STREETS WITH TIGHT CURVES OR CUL-DE-SACS MAY BE REDUCED TO 75% OF THE REQUIRED LOT WIDTH. THE MINIMUM SIDE YARD SETBACKS (OR BUILDING SEPARATION) AND THE MINIMUM FRONT SETBACK REQUIREMENTS SHALL BE MAINTAINED.
6. CORNER LOTS SHALL HAVE A MINIMUM SIDE YARD OF 15 FEET OFF THE SIDE RIGHT-OF-WAY.

2005 PUD MASTER PLAN
FOR
TRACK K AT RAINBOW SPRINGS

PROJECT NO: 91874.01
DATE: 02/02/05
SCALE: 1" = 400'
DWG FILE: Color Presentation_2005.dwg
DRAWN BY: DMD
FILE: 30M-001

Berryman & Henigar
1414 SW Martin Luther King Avenue
Ocala, Florida 34474-2129
(352) 368-9069 Fax (352) 368-9063
FLORIDA LICENSE NO: 00007
CERTIFICATION OF AUTHORIZATION NO: 00000661

EXHIBIT 2

REVISION DATE:	REVISION:
APRIL 19, 2005	REVISION PER BOCC APPROVAL

FIGURE 4

RESOLUTION NO. 07-R-263

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING THE ISSUANCE OF A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Special Use Permit was duly filed by Pigeon-Roberts & Associates, LLC, and was considered by the Marion County Zoning Commission at its meeting on May 30, 2007; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida at its meeting on Tuesday, June 19, 2007; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. SPECIAL USE PERMIT APPLICATION APPROVAL 070606SU – Vikings, LLC. The application for a Special Use Permit as submitted by Pigeon-Roberts & Associates, LLC, a copy of said application being on file with the Zoning Director, is hereby approved for a special use permit in a PUD (Planned Unit Development) zoning classification on 1.96 acres for the intended use of a model home as a temporary golf clubhouse on Parcel Account Nos. 34546-122-00, -123-00, 124-00, -125-00, -126-00, -127.00, and a portion of 34546-000-13.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Zoning Commission recommending approval of the Special Use Permit and the Board approves the Special Use Permit subject to the following 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 expire June 30, 2010.

SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit could result in revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 19th day of **June, 2007.**

ATTEST:

DAVID R. ELLSPERMANN, CLERK

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

STAN MCCLAIN, CHAIRMAN

SPECIAL USE PERMIT

NAME: **Vikings LLC**

ADDRESS: **62 Never Bend Drive**
Ocala, FL 34482

TELEPHONE: **352-291-2774**

APPLICATION NO: **070606SU**

WHEREAS, the Marion County Board of County Commissioners has considered the above-referenced application for a Special Use Permit and has approved the application on June 19, 2007 subject to conditions, and

WHEREAS, the Zoning Director is authorized to issue Special Use Permits in accordance with Board action, now therefore

A SPECIAL USE PERMIT is hereby issued to the above-listed property owner, pursuant to Board of County Commissioners' Resolution 07-R-263 for the purpose of using a special design model home as a temporary shop for golf course activity start up in a PUD (Planned Unit Development) zoning classification, on Parcel Account Nos. 34546-122-00 thru 34546-127-00 and a portion of 34546-000-13, subject to the following 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 expire June 30, 2010.

REVOCATION: Violation or failure to comply with one or more condition(s) of this Special Use Permit could result in revocation of this Special Use Permit by the Board of County Commissioners at a noticed public hearing.

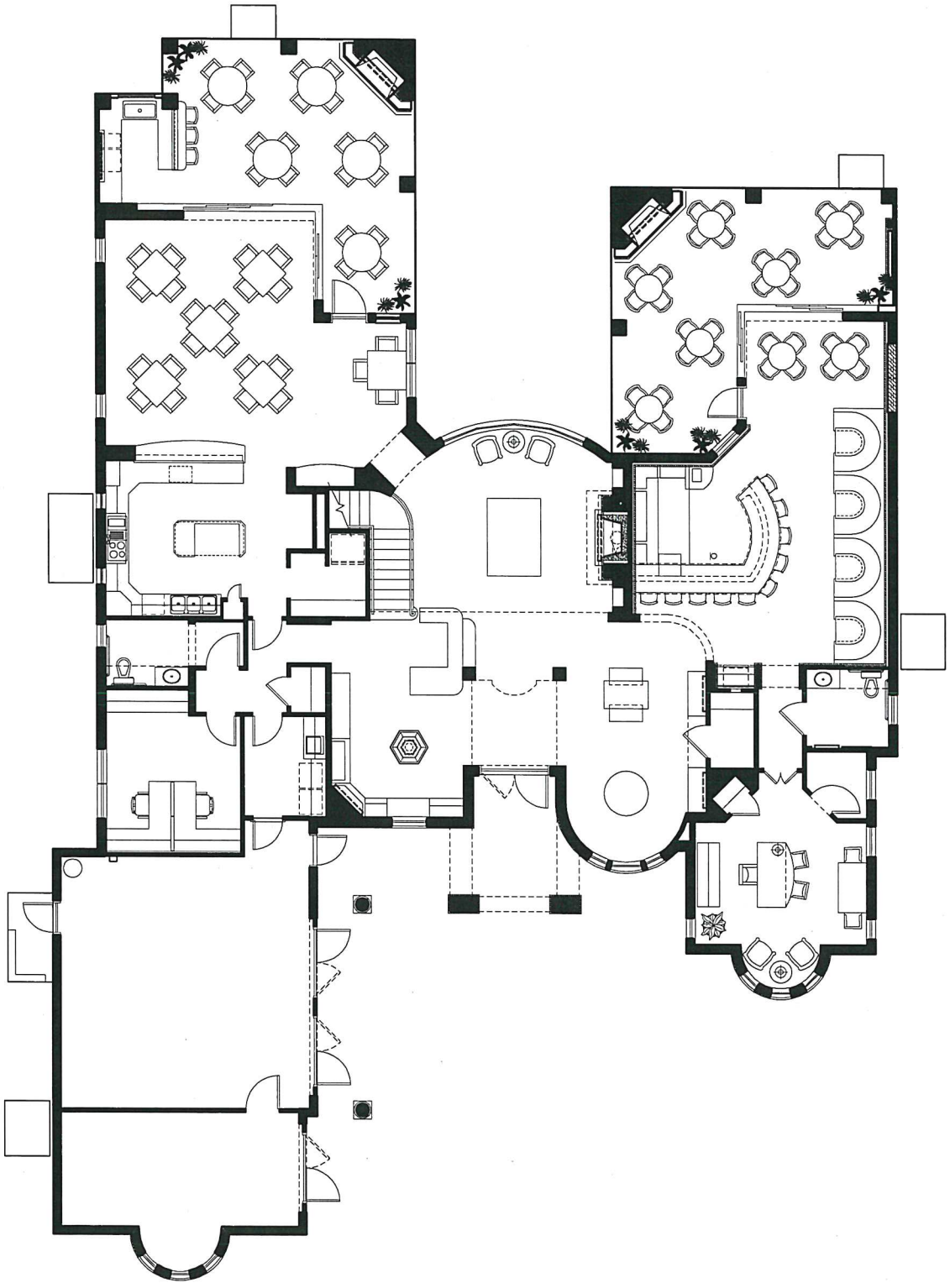
THIS SPECIAL USE PERMIT IS SUBJECT TO ALL APPLICABLE PROVISIONS OF THE MARION COUNTY LAND DEVELOPMENT CODE, NOT INCONSISTENT HEREWITH.

Michael E. May

MICHAEL E. MAY, DIRECTOR, MARION COUNTY ZONING/DEVELOPMENT REVIEW DEPARTMENT
DATE: 21 June 07

Juliette Falls

TEMPORARY PRO-SHOP



JACARANDA V - LOT #123

JACARANDA V @ JULIETTE FALLS
LOT #123

1ST FLOOR LIVING	SQ. FT.	3,433
2ND FLOOR LIVING	SQ. FT.	2,078
GARAGE	SQ. FT.	845
LANAI, PATIO, BALCONY	SQ. FT.	1,340
ENTRY	SQ. FT.	198
MISC. UNDER ROOF	SQ. FT.	98
TOTAL	SQ. FT.	7,992

Juliette Falls Grand Opening October 2007!

A Lifestyle Unlike Any Other
Located on 543 acres of pristine Florida upland just outside of the beautiful horse community of Ocala, adorned by pine and oak forests, sets Florida's #1 golf and spa community. Other features include 136 acres of natural wooded preserve with miles of walking trails and various stops for exercise and stretching, or just observing the local wildlife. World class tennis courts, and a large resort style pool and spa are also featured at Juliette Falls.

Visit us at www.juliettefalls.com regularly for continued updates and registration information for our grand opening week festivities.

Arthur Rutenberg Homes at Juliette Falls!
Exclusively designed by Arthur Rutenberg for Juliette Falls, the sales center, phase one pro shop, 10 model homes, 25 inventory homes, and 25 other homes in various stages of completion will all be open for touring our grand opening week in October of this year. Maintaining an exceptional level of quality, craftsmanship, design and service, Arthur Rutenberg Homes has been a respected name in Florida homebuilding since 1953. *Visit them on the web at www.arhomes.com.*

Arthur Rutenberg Home

120 Acres of PGA Level Golf. Course Begins Its' Grow In!
Fore!!!! Our course will be ready for play in October for our grand opening. With 5 sets of tees, golf at Juliette Falls will be home to all levels of players. The 40 foot elevation changes and a total yardage of over 7300 yards will challenge the best of our golfers. Our continued sensitivity to the environment is reflected in the fact that the golf course is, and will continue to be maintained to Audubon International Silver Sanctuary standards.

More on this wonderful complex to come soon!
Visit us at www.juliettefalls.com for continued updates.

JULIETTE FALLS 62 NEVER BEND DRIVE, OCALA FL 34482
Phone: (352)291-2774 • Fax (352) 291-2778 www.juliettefalls.com • info@juliettefalls.com

Juliette Falls Grand Opening October 2007!

Welcome Juliette and Ja!

We are pleased to welcome the two newest additions to the Juliette Falls team - Juliette, a Great Pyrenees and Ja (pronounced "J"), a Golden Retriever. They have been added in the spirit of our fun loving community that awaits your arrival. Juliette will greet you when you arrive at our sales center and Ja, our course mascot, can be found patrolling the golf course!

Construction is Booming

Currently there are 37 homes underway of which 24 are already in various stages of construction. There will be 10 different furnished models to browse through when completed. Check out the views of several of our homes.

Phase One Clubhouse

Complete with restaurant, bar, private dining, golf operations and golf shop, this facility will be the center of activity until the 52,000 square foot Clubhouse with Spa and Wellness Center is completed. We'll be open for operation in October.

Sales Center at Juliette Falls

No temporary trailers for our buyers and sales associates! Construction is well under way on our state of the art Sales Center, pictured here. When you arrive at our Sales Center you'll be welcomed by an 8000 square foot Arthur Rutenberg Home complete with our media room presentation, home and community information, interior design office, children's play area and more! We are making your home purchase a well informed and enjoyable experience.

Golf Course Nears Completion

By the end of March the golf course will be completely shaped and planted and will spend the next 6 months being groomed and manicured for your arrival in October. Once you set foot within Juliette Falls you'll notice our commitment to nature. To stay true to the area, we've planted native grasses, trees and other plants throughout the golf course and community that maintain the natural beauty we found here at the site of Juliette Falls.

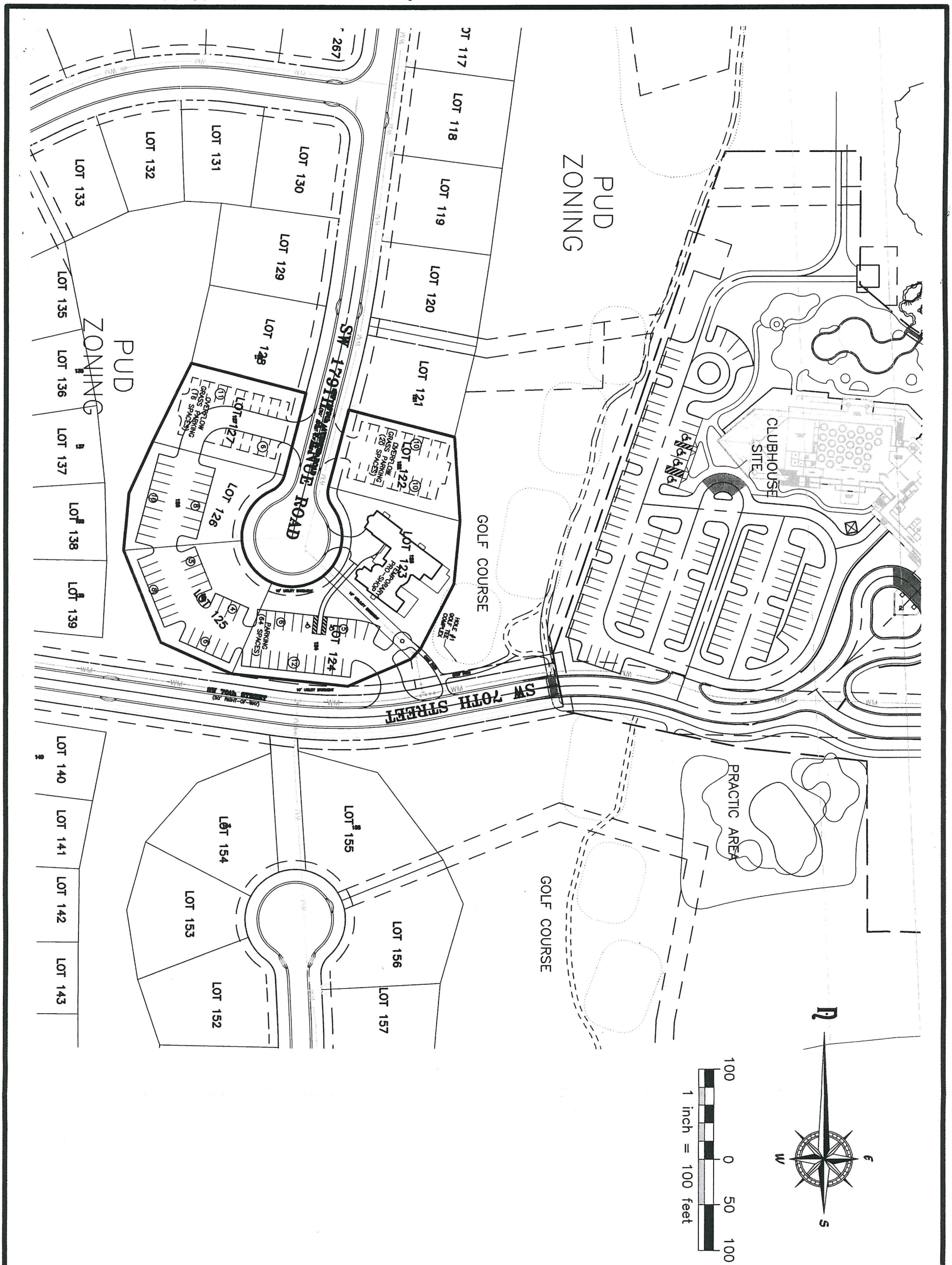
Coming soon, our new and improved website, **www.juliettefalls.com**

Contact us for more information:

Juliette Falls • A Golf & Spa Community • 62 Never Bend Drive • Ocala, FL 34482
(352) 291-2774 • (352) 291-2778 fax • info@juliettefalls.com • www.juliettefalls.com

PLAT PLAN
1" = 80'
JALIETTE FALLS GOLF & SPA COMMUNITY
BUILDER: MORAL CONSTRUCTION COMPANY
Arthur Rutenberg
INVENTORY #
MODEL #
PLAN NAME
HAND
GARAGE
ELEVATION
SPECIFICATION
COURSE BUFFER
FACILITIES
PLATINUM
PLATINUM PLUS
EXECUTIVE
EXECUTIVE PLUS

Plotted: 4/11/2007 4:40:08 PM : Diane Douglas : LTScale: 100.00 : DimScale: 100.00 : PSLtscale: 0
T:\127 Vikings\37 Pro Shop\dwg_PE\GEN-LAYOUT_LOT-123Rev1.dwg : GEN-LAYOUT 002



Pigeon - Roberts & Associates, LLC	925 S.E. 17th Street, Suite A, Ocala, Florida 34471
CIVIL ENGINEERS • PLANNERS SURVEYORS & MAPPERS	(352) 861-7799 voice (352) 861-7709 fax

CERTIFICATES OF AUTHORIZATION:
ENGINEERING: NO. 26531 • SURVEYING & MAPPING: LB NO. 7481

002 OF 002

SCALE:	1" = 100'
DATE:	00.00.2007
CHECKED:	CAP
DRAWN:	DMD
FIELD BOOK:	N/A
PAGE.:	N/A
DATUM:	N/A
FILE NO.:	127.37.000
JOB NO.:	127.37
SHEET:	002 OF 002

GENERAL LAYOUT
PROPOSED TEMPORARY PRO-SHOP

SECTION 5,6,8, TOWNSHIP 16 SOUTH, RANGE 19 EAST, MARION COUNTY, FLORIDA

NO.	DATE:	REVISIONS:	APP'D. BY

RESOLUTION NO. 10-R-276

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING THE ISSUANCE OF A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Special Use Permit was duly filed Vikings, LLC, and was considered by the Marion County Zoning Commission at its meeting on June 28, 2010; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida at its meeting on Tuesday, July 20, 2010; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. SPECIAL USE PERMIT APPLICATION APPROVAL 100709SU Vikings, LLC. The application for a Special Use Permit as submitted by **Pigeon-Roberts & Assoc.**, a copy of said application being on file with the Zoning Director, is hereby approved for a Special Use Permit in a PUD (Planned Unit Development) zone on ± 1.96 acres to extend the duration of a temporary clubhouse by renewing/extending Special Use Permit #20070606SU, Resolution No. 07-R-263, on Parcel Account Nos. 34546-122-00 thru 34546-127-00.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Zoning Commission recommending approval of the Special Use Permit and the Board approves the Special Use Permit subject to the following 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 expire July 20, 2015.
3. Special Use Permit #20070606SU, Resolution No. 07-R-263 is hereby repealed and replaced by this Special Use Permit.

SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit could result in revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this **20th** day of **July, 2010.**

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

DAVID R. ELLSPERMANN, CLERK

BARBARA FITOS, CHAIR

SPECIAL USE PERMIT

NAME: **Vikings, LLC**

ADDRESS: **17985 SW 64th Place**
Dunnellon FL 34432

TELEPHONE:

APPLICATION NO: **100709SU**

WHEREAS, an application for a Special Use Permit was duly filed by Vikings, LLC, and was considered by the Marion County Zoning Commission at its meeting on June 28, 2010; and

WHEREAS, the aforementioned application was considered at public hearings held by the Board of County Commissioners of Marion County, Florida on Tuesday, July 20, 2010, and

WHEREAS, the Zoning Director is authorized to issue Special Use Permits in accordance with Board action, now therefore

A SPECIAL USE PERMIT is hereby issued to the above-listed property owner, pursuant to Board of County Commissioners' Resolution 10-R-276, on approximately ±1.96 acres to extend the duration of a temporary clubhouse by renewing/extending Special Use Permit #20070606SU, in a PUD (Planned Use Development) zone, on Parcel Account Nos. 34546-122-00 thru 34546-127-00.

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 expire July 20, 2015.
3. Special Use Permit #20070606SU, Resolution No. 07-R-263 is hereby repealed and replaced by this Special Use Permit.

REVOCATION: Violation or failure to comply with one or more condition(s) of this Special Use Permit could result in revocation of this Special Use Permit by the Board of County Commissioners, at a noticed public hearing.

THIS SPECIAL USE PERMIT IS SUBJECT TO ALL APPLICABLE PROVISIONS OF THE MARION COUNTY LAND DEVELOPMENT CODE, NOT INCONSISTENT HEREWITH.

SAMUEL D. MARTSOLF, ZONING MANAGER
MARION COUNTY GROWTH MANAGEMENT DEPARTMENT/ZONING DIVISION

DATE 7/23/10

RESOLUTION NO. 15-R-186

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING THE ISSUANCE OF A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Special Use Permit was duly filed and considered by the Marion County Planning and Zoning Commission at its meeting on May 27, 2015; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida at its meeting on Tuesday, June 16, 2015 now therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. SPECIAL USE PERMIT APPLICATION APPROVAL 150602SU Vikings, LLC– The application requesting a Renewal and Modification of Special Use Permit 100709SU, Articles 1, 2 and 4, of the Marion County Land Development Code as submitted by Vikings, LLC, Dunnellon FL, a copy of said application being on file with the Marion County Growth Services Director, is hereby approved for a temporary Pro Shop, in a PUD (Planned Unit Development) zone, Parcel Account Nos. 34546-122-00 thru 34546-127-00, 1.96 acres.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission recommending approval of the Special Use Permit and the Board approves the Special Use Permit subject to the following conditions:

1. The site has been developed and operated consistent with the original concept plan submitted for 20070606SU & 100709SU and conditions as provided in previous special use permits approved have been implemented.
2. The ingress/egress shall be limited to existing driveways off NW 70th Street. Driveways have permitted and maintained paved aprons consistent with Land Development Code requirements.
3. No change in operations or services provided are proposed.
4. A new Special Use Permit will be required for any future expansion of the approved use.
5. The established buffering shall be maintained.
6. The Special Use Permit shall expire 6/16/2020. The owner may submit a new Special Use Permit application for consideration to renew and extend this permit in the future.
7. Lots 122 and 127 include an Administrative Hold on the issuance of future Building Permits. The procedure for release of the administrative hold for the issuance of Building Permits on the individual Developer Lots shall be in accordance with the agreement recorded in OR BK 05330 PGS 1052-1062 or a subsequent agreement amendment.

SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 16th day of June, 2015.

ATTEST:

DAVID R. ELLSPERMANN, CLERK

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

STAN MCCLAIN, CHAIRMAN

RESOLUTION NO. 20-R-225

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A RENEWAL AND EXTENSION OF A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a renewal and extension of a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on June 29, 2020; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida at its meeting on Tuesday, July 21, 2020. Now therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. SPECIAL USE PERMIT APPLICATION APPROVAL 200601SU Vikings, LLC. The application requesting a renewal and extension of Special Use Permit50602SU (15-R-186), Articles 2 and 4 of the Marion County Land Development Code as submitted by Chuck A. Pigeon, Pigeon-Roberts & Associates, LLC, Ocala, FL, a copy of said application being on file with the Marion County Growth Services Director, is hereby approved for the on-going use of the temporary golf pro-shop and the related pro-shop facilities at Juliette Falls in a PUD (Planned Unit Development) zone, on Parcel Account Nos. 34546-122-00, 34546-123-00 and 34546-127-00, 2.17 Acres.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission recommending approval of the Special Use Permit and the Board approves the Special Use Permit subject to the following conditions:

1. The site has been developed and operated with the original concept plan submitted for 20070606SU, 100709SU and 150602SU and conditions as provided in previous special use permits approved have been implemented.

2. The ingress/egress shall be limited to existing driveways off NW 70th Street. Driveways have permitted and maintain paved aprons consistent with Land Development Code requirements.

3. No change in operations or services provided are proposed.

4. A new Special Use Permit will be required for any future expansion of the approved use.

5. The established buffering shall be maintained.

6. The Special Use Permit shall expire 6/16/2025. The owner may submit a new Special Use Permit application for consideration to renew and extend this permit in the future.

SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 21st day of July, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

DAVID R. ELLSPERMANN, CLERK

KATHY BRYANT, CHAIRMAN

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19930 **Agenda Date:** 7/28/2025 **Agenda No.:** 1.4.

SUBJECT:
250804SU - Clifford Mynes and Suzi X, Special Use Permit to Allow for a Private Family Burial of Two (2) Plots, in a General Agriculture (A-1) Zone, 10.98 Acres, Parcel Account Number 39636-001-05, Site Address 9030 SE 170th Avenue Road, Ocklawaha, FL 32179

DESCRIPTION/BACKGROUND:
Clifford Mynes and Suzi X have filed an application for a special use permit for the establishment of a private 20-foot by 20-foot family burial site, to include two (2) individual burial plots, with monuments reaching three (3) feet in height. An aerial photograph showing the location of the subject property provided. The Property Identification Number associated with the property is 39636-001-05, Address: 9030 SE 170th Avenue Road, the parcel is within the Lake Side Mini-Farms unrecorded subdivision, and the legal description is displayed on the deed included as part of the application. The subject property is located outside of the Urban Growth Boundary (UGB) and is located within the Secondary Springs Protection Overlay Zone (SSPOZ).

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

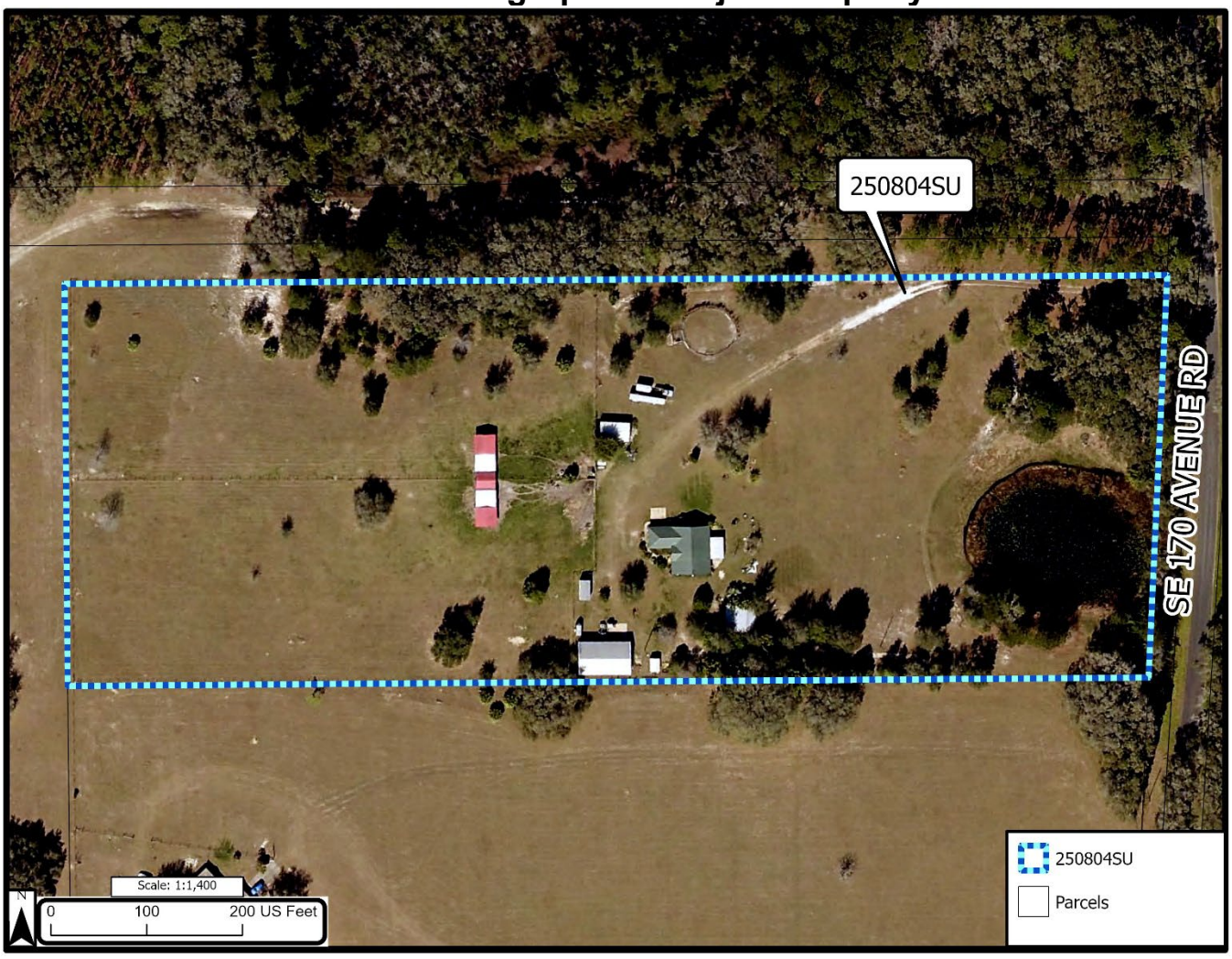
PLANNING & ZONING SECTION
STAFF REPORT

P&ZC Date: 7/28/2025	**BCC Date: 08/19/2025**
Case Number:	250804SU
CDP-AR:	32850
Type of Case:	**Special Use Permit** to allow for two (2) burial plots on A-1 parcel
Owner	Clifford Mynes and Suzi X
Applicant	Clifford Mynes and Suzi X
Street Address	9030 SE 170th Avenue Road, Ocklawaha, FL, 32179
Parcel Number	39636-001-05
Property Size	±10.98 acres
Future Land Use	Rural Land (RL)
Zoning Classification	General Agriculture (A-1)
Overlay Zone/Scenic Area	Secondary Springs Protection Overlay Zone (SSPOZ)
Staff Recommendation	**Approval with conditions**
P&ZC Recommendation	**TBD**
Project Planner	Sarah Wells, Planner
Related Case(s)	None

I. ITEM SUMMARY

Cifford Mynes and Suzi X have filed an application for a special use permit for the establishment of a private 20-foot by 20-foot family burial site, to include two (2) individual burial plots, with monuments reaching four (4) inches in height, three (3) feet in length, and fourteen (14) inches in width (see Attachments A and D). Figure 1 is an aerial photograph showing the location of the subject property. The Property Identification Number associated with the property is 39636-001-05, Address: 9030 SE 170th Avenue Road, the parcel is within the Lake Side Mini-Farms unrecorded subdivision, and the legal description is displayed on the deed included as part of the application. The subject property is located outside of the Urban Growth Boundary (UGB) and is located within the Secondary Springs Protection Overlay Zone (SSPOZ).

Figure 1
Aerial Photograph of Subject Property



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS** due to the request being consistent with the Marion County Comprehensive Plan, compatible with the surrounding area, and will not adversely affect the public interest specified in Section VI.B. of this Staff Report. The recommended conditions are being imposed to address compliance with the requirements in LDC Sections 2.8.2.D and 2.8.3.B.

III. NOTICE OF PUBLIC HEARING

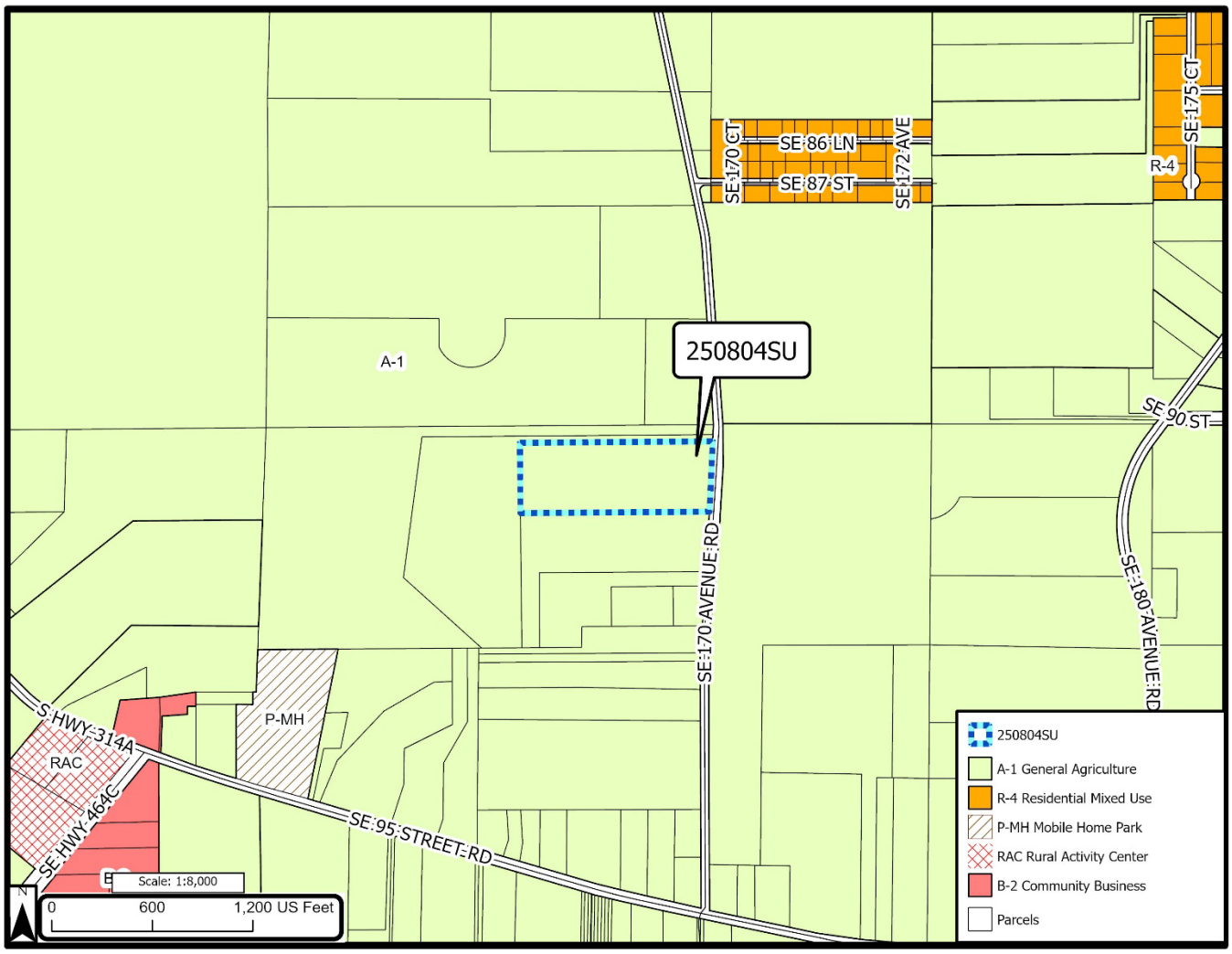
The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C and 2.7.3.B to apply to SUP applications. LDC Section 2.7.3.C requires notice of public hearing be mailed to all property owners within 300 feet of the subject property and notice was mailed to (4) property owners on July 11, 2025. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on July 16, 2025, and consistent with LDC Section 2.8.3.E. due public notice was published in the Ocala Star-Banner on August 4, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference.

IV. BACKGROUND/CHARACTER OF THE AREA

Existing site conditions. Figure 2 provides zoning classification information while Figure 3 shows the FLUMS designation for the area. Table 1 outlines the existing uses of the surrounding area, while Figure 4 illustrates those uses in relation to the subject property. As illustrated, the subject property is developed as Single-Family Residential.

A. *Zoning district map*. Figure 2 shows the subject property designated as General Agriculture (A-1). Surrounding properties are similarly zoned General Agriculture (A-1).

Figure 2
Zoning Classification



B. *FLUMS designation*. Figure 3 is the FLUMS and shows the subject property as Rural Land (RL) land use (1 du/10 acres) with similar land use surrounding.

Figure 3
Future Land Use Map Series

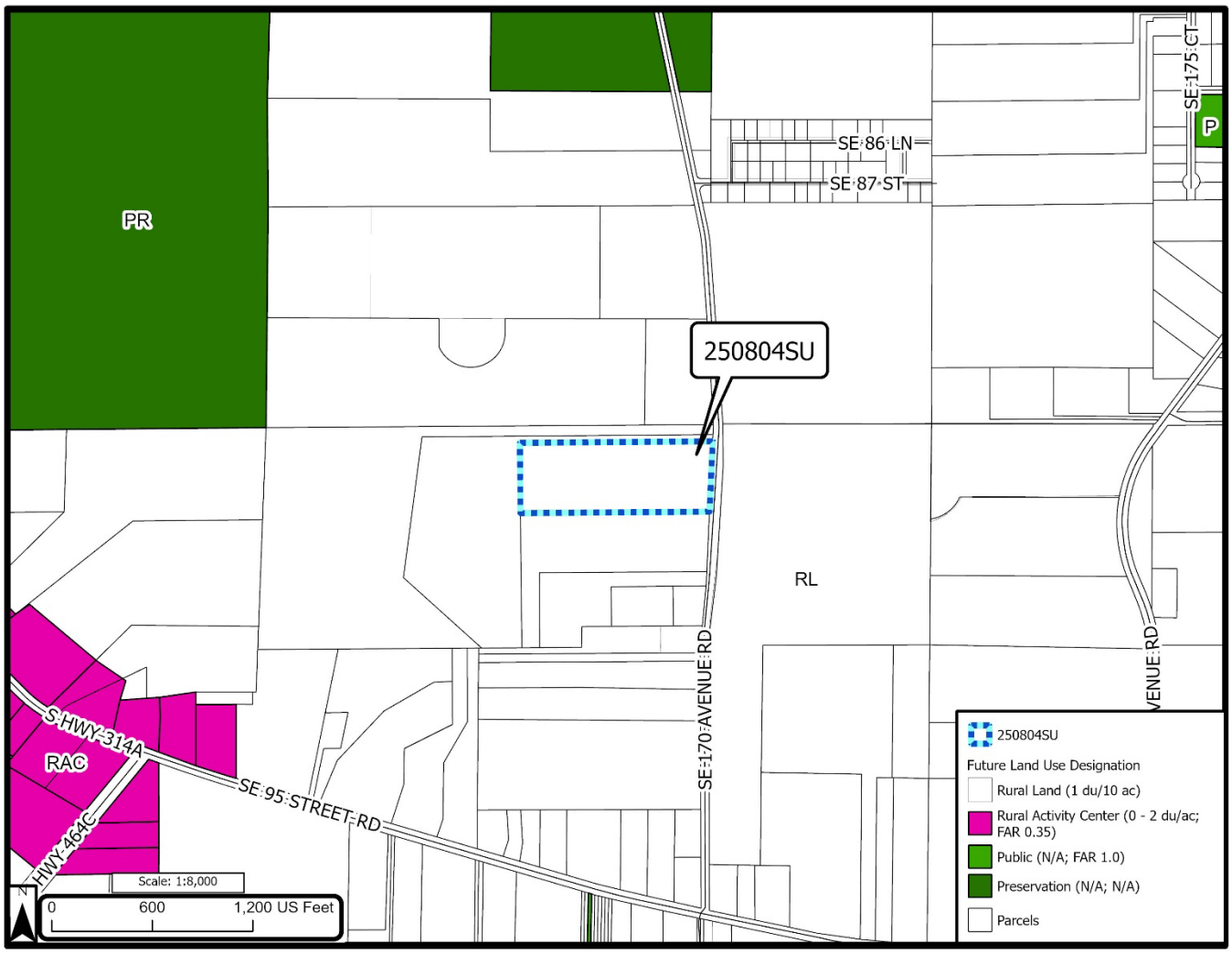


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS

Direction	FLUMS	Zoning	Existing Use
Site	Rural Land (RL)	General Agriculture (A-1)	Single-Family Residential
North	Rural Land (RL)	General Agriculture (A-1)	Ag Production
South	Rural Land (RL)	General Agriculture (A-1)	Single-Family Residential
East	Rural Land (RL)	General Agriculture (A-1)	Ag Production
West	Rural Land (RL)	General Agriculture (A-1)	Ag Production

Figure 4
MCPA Property Uses

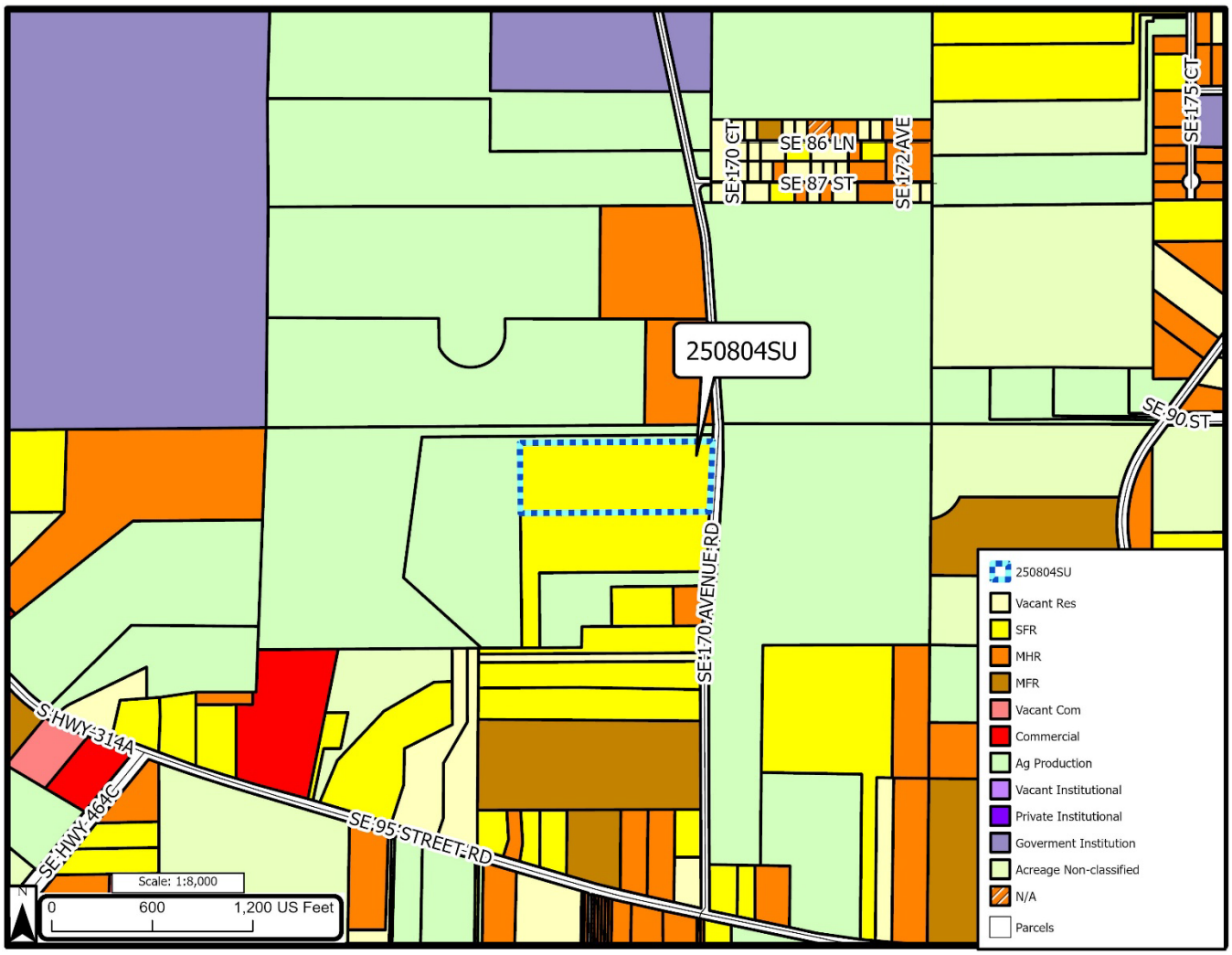


Figure 5
Concept Plan

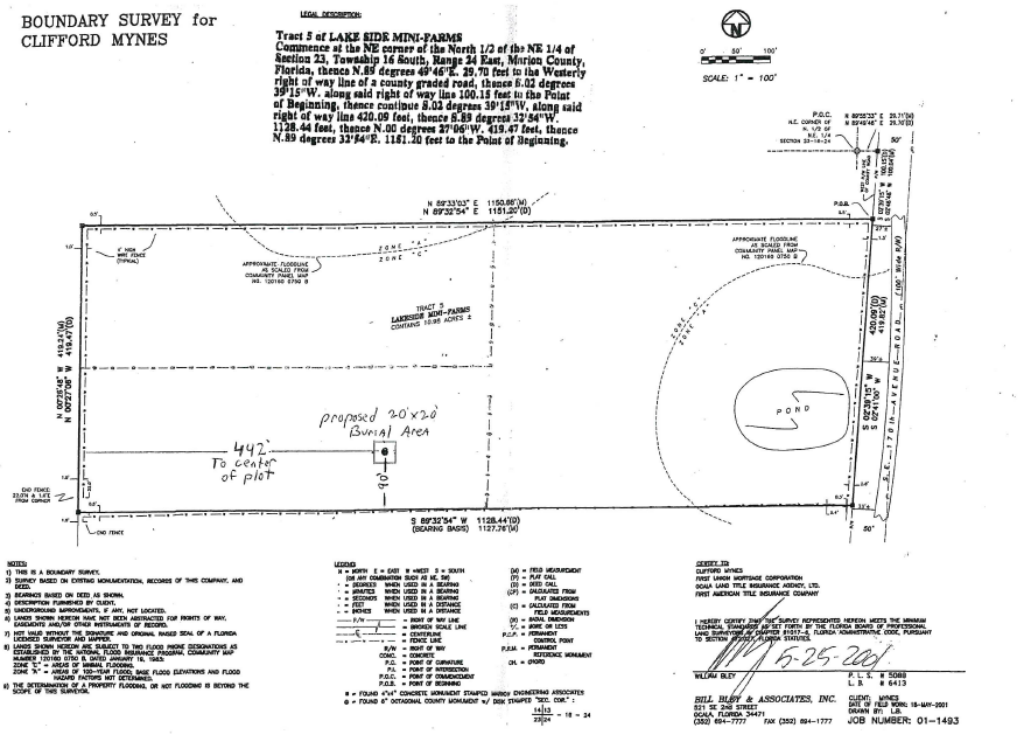
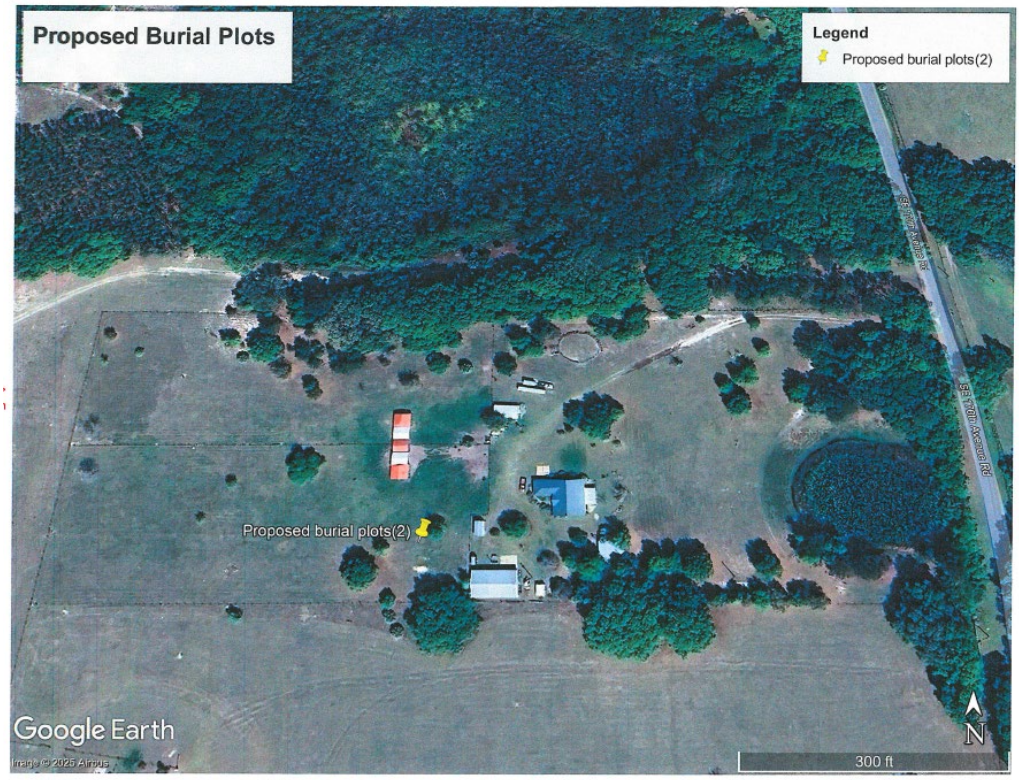


Figure 6
Aerial view depicting proposed location



C. *Proposed burial site*. Figures 5 and 6 depict the location of the proposed burial sites. The area is positioned 442 feet from the western property boundary line and 90' from the southern property line. A trust has been established which upon the death of Clifford Mynes, Suzi X, and their equines, the land will be placed into a conservation easement. See Attachments E and F.

V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding the SUP addresses nine (9) specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements are addressed below.

A. *Provision for **ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe*.

Analysis: The parcel has an existing driveway with access on to SE 170th Avenue Road. The proposed use will not alter existing traffic flow, pedestrian safety, or emergency access to the parcel. Staff concludes that the application **is consistent** with provisions for ingress and egress.

B. *Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area*.

Analysis: The requested use does not require parking provisions, will have no impact on the economy or noise levels, and will not produce glare or odors. Staff concludes that the application is **consistent** with provisions for off-street parking and loading areas.

C. *Provisions for **refuse and service area**, with particular reference to the items in (1) and (2) above*.

Analysis: The proposed use will not produce refuse. Staff concludes the application is **consistent** with provisions for refuse.

D. *Provision for **utilities**, with reference to locations, availability, and compatibility*.

Analysis: DRC comments provided by Utilities state, "*The Special Use Application for burial plots have no impact on flows. No comment from Marion County Utilities.*

Parcel 39636-001-05 is located within the Marion County Service Area, outside of connection distance with the closest water being over 15,000' away. Located within the Secondary Springs Protection Zone. Located outside of the Urban Growth Boundary. Not located within a neighborhood." Staff concludes the application is **consistent** with provisions for utilities.

E. *Provision for **screening and buffering** of dissimilar uses and of adjacent properties where necessary*.

Analysis: The proposed site will be fenced and gated, per the findings of fact provided by the applicant. The findings of fact also state the area has dense vegetation which provide screening to neighboring parcels, however staff notes that some of the mentioned vegetation is on the neighboring parcel. See attachment C for photos of natural buffering and screening. Staff finds the application to be **consistent** with the requirements for screening and buffering, and does not require any additional measures, *provided that the applicant installs and maintains an opaque fence with a secured gate enclosing the proposed burial site.*

F. *Provision for **signs**, if any, **and exterior lighting** with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area*.

Analysis: Signs and exterior lighting will not be used for the purposes of this application; therefore, staff finds the application is **consistent** with the signs and exterior lighting requirements of this section.

G. *Provision for **required yards and other green space***.

Analysis: The proposed use does not require provisions for green spaces or required yards; therefore, staff finds the application is **consistent** with yards and other green spaces.

H. *Provision for general **compatibility** with adjacent properties and other property in the surrounding area*.

Analysis: Compatibility is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, as "*a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*"

Figure 1 is an aerial photograph displaying existing and surrounding properties. Figure 4 displays the same properties based on their use code per Marion County

Property Appraiser. The adjacent properties include ag production and a single family residence. The application is **consistent** with the provision for compatibility.

I. *Provision for meeting any **special requirements** required by the site analysis for the particular use involved*.

Analysis: Staff notes that unlike a variance, which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. Staff recommends the following policy for future development of the property.

- *Upon the first on-site burial within the cemetery, a notice indicating the initiation of the Cemetery shall be recorded in the Marion County Public Records, including identifying, at a minimum, the cemetery site with its specific boundaries by legal description, number of plots/spaces, and the conditions of this Special Use Permit.*

J. *Consistency with the Comprehensive Plan*.

1. Policy 2.1.5: **Permitted & Special Uses** – The county shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.

Analysis: LDC Section 4.2.3(C) allows for a Special Use Permit for a cemetery within General Agriculture zoning, thus, the application is **consistent** with FLUE Policy 2.1.5.

Based on the above findings, staff concludes the SUP is consistent with LDC Sections 2.8.2.D and 2.8.3.B as well as the Comprehensive Plan.

VI. ALTERNATIVE RECOMMENDATIONS

A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing and make a recommendation to the Commission to adopt a proposed Ordinance to **DENY** the special use permit.

B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions, and make a recommendation to the Commission to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.

C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to the Commission to **TABLE** the application for up to two months in order to provide the

identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

A. Staff recommends the Board enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to adopt a proposed Ordinance to **APPROVE AS CONDITIONED** the special use permit based on compatibility in the area, compliance with the Comprehensive Plan, and a lack of adverse impacts to the surrounding area.

B. To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are imposed in the event that the Board chooses to agree with staff recommendation and approve the special use with conditions:

1. *The site shall be developed and operated consistent with the submitted conceptual site plan and the conditions as provided with this approval.*

2. *The cemetery shall be developed in accordance with all applicable state and federal regulations, with the exception of funding requirements for perpetual maintenance.*

3. *The cemetery shall consist of a maximum of two (2) burial sites and shall be limited to a maximum of 20'x20' area, as depicted on the conceptual plan.*

4. *An opaque fence with a secured gate enclosing the proposed burial site shall be installed upon the first on-site burial.*

5. *Upon the first on-site burial within the cemetery, a notice indicating the initiation of the Cemetery shall be recorded in the Marion County Public Records, including identifying, at a minimum, the cemetery site with its specific boundaries by legal description, number of plots/spaces, and the conditions of this Special Use Permit.*

VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

To be determined.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

A. SUP Application
B. DRC Comments
C. Site Photos
D. Funeral Docmentation
E. Trust Documentation
F. Trust Directives

Marion County
Board of County Commissioners

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

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: Establishing family burial plots (2) on owned parcel.

Legal Description: (Please attach a copy of the deed and location map.) **Parcel Zoning:** A1

Parcel account number(s): 39636-001-05

Property dimensions: 420' X 1139' **Total acreage:** 10.98

Directions: Please see Attached documents.

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*.**

Clifford Mynes And SUZI X	Clifford Mynes
Property Owner name (please print)	**Applicant or agent name (please print)**
SUZI X	9030 SE 170th Avenue Road
Mailing Address	**Mailing Address**
9030 SE 170th Avenue Road	Ocklawaha FL. 32179
City, State, Zip code	**City, State, Zip code**
Ocklawaha FL. 32179	352-572-8399
Phone number (include area code)	**Phone number (include area code)**
352-572-8399	mynes@live.com
E-mail address	**E-mail address**
mynes@live.com	Clifford Mynes
Signature Clifford Mynes SZ	***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. 200308007	*Code Case No.:*		*Application No.:*	
Rcvd by: EM	*Rcvd Date* 5/14/25	*FLUM:* Rural	*Zoning Map No.:* 330	*Rev: 07/1/2019*

AR 32850

Finding of Facts

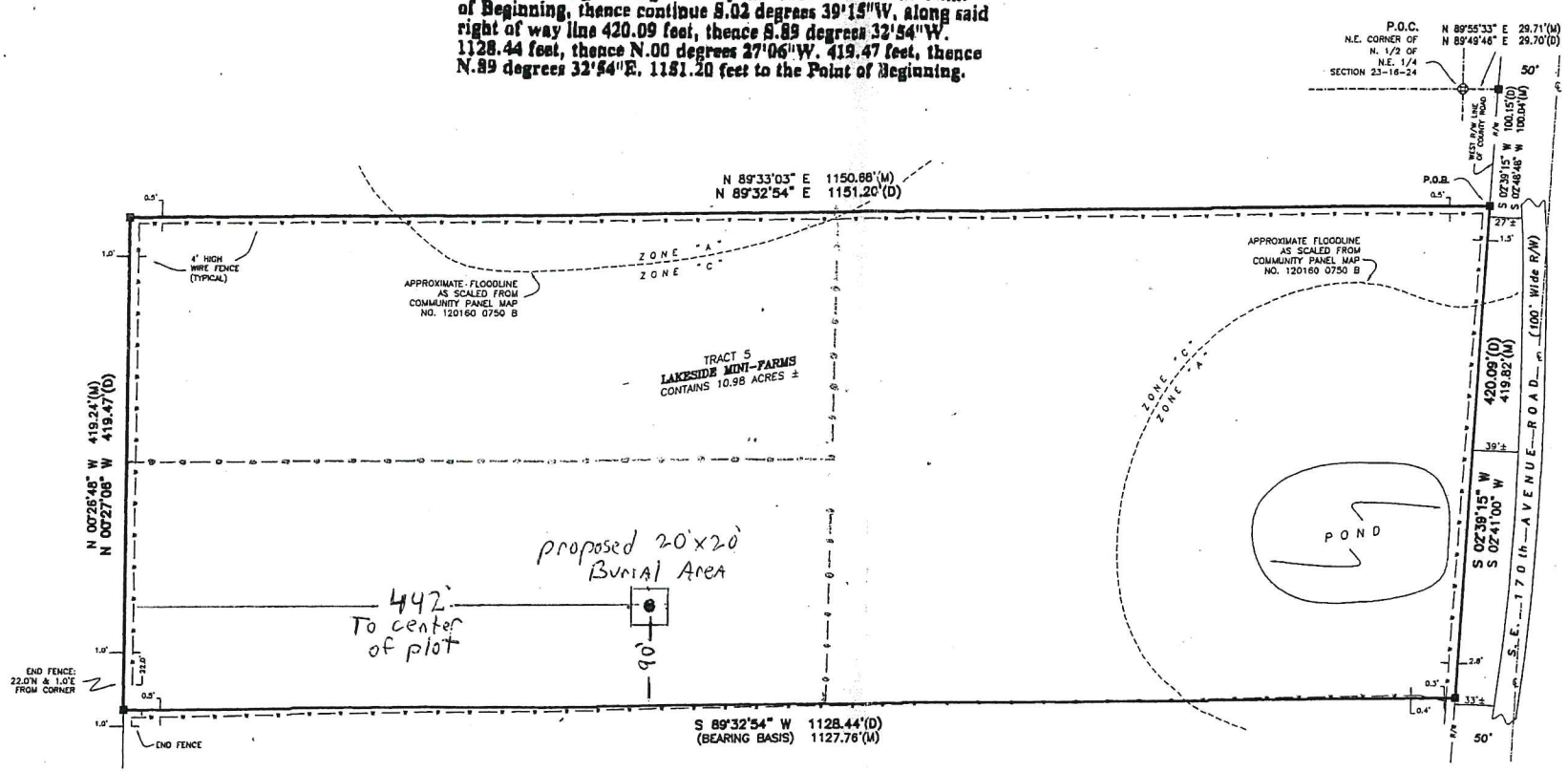
- This Special Use Permit application is for the sole purpose of establishing a 20'x20' burial area on a privately- owned land parcel. This will be utilized for a total of two burials.
- The proposed area will be maintained by owners until which time both are deceased. Upon death of remaining owner, both the proposed area as well as the entire parcel shall be placed in trust for use and upkeep in perpetuity.
- Ingress/egress shall remain from the NE corner of property as indicated on the aerial parcel view provided.
- Aerial view depicts proposed areas location in reference to existing structures and utilities.
- This proposed change does not necessitate any alteration to existing traffic flow, pedestrian safety or emergency access to the parcel.
- No adverse conditions will be created regarding the SUP and the surrounding area.
- No off-street parking or additional access to parcel is required.
- The proposed SUP area is positioned 442' from the existing Western property boundary and 90' from the existing Southern boundary. These details are indicated on the included survey sheet.
- The proposed area is a minimum of 130' from any/all utilities and ROW.
- The proposed area is screened from surrounding parcels by naturally occurring trees and plants of various types. Photos have been included depicting the screening from the pertinent directions.
- Proposed area will be fenced and gated.

- The subject parcel is located among others designated as A1 zoning and pasture grazing land.
- Owners are willing to meet additional requirements if necessary pertaining to this application.

BOUNDARY SURVEY for CLIFFORD MYNES

LEGAL DESCRIPTION:

Tract 5 of LAKE SIDE MINI-FARMS Commence at the NE corner of the North 1/2 of the NE 1/4 of Section 23, Township 16 South, Range 24 East, Marion County, Florida, thence N.89 degrees 49'46"E. 29.70 feet to the Westerly right of way line of a county graded road, thence S.02 degrees 39'15"W. along said right of way line 100.15 feet to the Point of Beginning, thence continue S.02 degrees 39'15"W. along said right of way line 420.09 feet, thence S.89 degrees 32'54"W. 1128.44 feet, thence N.00 degrees 27'06"W. 419.47 feet, thence N.89 degrees 32'54"E. 1151.20 feet to the Point of Beginning.



NOTES:

1) THIS IS A BOUNDARY SURVEY.
2) SURVEY BASED ON EXISTING MONUMENTATION, RECORDS OF THIS COMPANY, AND DEED.
3) BEARINGS BASED ON DEED AS SHOWN.
4) DESCRIPTION FURNISHED BY CLIENT.
5) UNDERGROUND IMPROVEMENTS, IF ANY, NOT LOCATED.
6) LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS AND/OR OTHER INSTRUMENTS OF RECORD.
7) NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8) LANDS SHOWN HEREON ARE SUBJECT TO TWO FLOOD PRONE DESIGNATIONS AS ESTABLISHED BY THE NATIONAL FLOOD INSURANCE PROGRAM, COMMUNITY MAP NUMBER 120160 0750 B, DATED JANUARY 19, 1983:
   ZONE "C" = AREAS OF MINIMAL FLOODING.
   ZONE "A" = AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
9) THE DETERMINATION OF A PROPERTY FLOODING, OR NOT FLOODING IS BEYOND THE SCOPE OF THIS SURVEYOR.

LEGEND:

N = NORTH E = EAST W = WEST S = SOUTH (OR ANY COMBINATION SUCH AS NE, SW)
° = DEGREES WHEN USED IN A BEARING
' = MINUTES WHEN USED IN A BEARING
" = SECONDS WHEN USED IN A BEARING
' = FEET WHEN USED IN A DISTANCE
" = INCHES WHEN USED IN A DISTANCE
R/W = RIGHT OF WAY LINE
= BROKEN SCALE LINE
℄ = CENTERLINE
= FENCE LINE
R/W = RIGHT OF WAY
CONC. = CONCRETE
P.C. = POINT OF CURVATURE
P.I. = POINT OF INTERSECTION
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING

(M) = FIELD MEASUREMENT
(P) = PLAT CALL
(D) = DEED CALL
(CP) = CALCULATED FROM PLAT DIMENSIONS
(C) = CALCULATED FROM FIELD MEASUREMENTS
(R) = RADIAL DIMENSION
+/- = MORE OR LESS
P.C.P. = PERMANENT CONTROL POINT
P.R.M. = PERMANENT REFERENCE MONUMENT
CH. = CHORD

■ = FOUND 4"x4" CONCRETE MONUMENT STAMPED MARION ENGINEERING ASSOCIATES
⊕ = FOUND 6" OCTAGONAL COUNTY MONUMENT w/ DISK STAMPED "SEC. COR.":

14 | 13
23 | 24 – 16 – 24

CERTIFY TO:
CLIFFORD MYNES
FIRST UNION MORTGAGE CORPORATION
OCALA LAND TITLE INSURANCE AGENCY, LTD.
FIRST AMERICAN TITLE INSURANCE COMPANY

I HEREBY CERTIFY THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

5-25-2001

WILLIAM BLEY
P. L. S. # 5088
L. B. # 6413

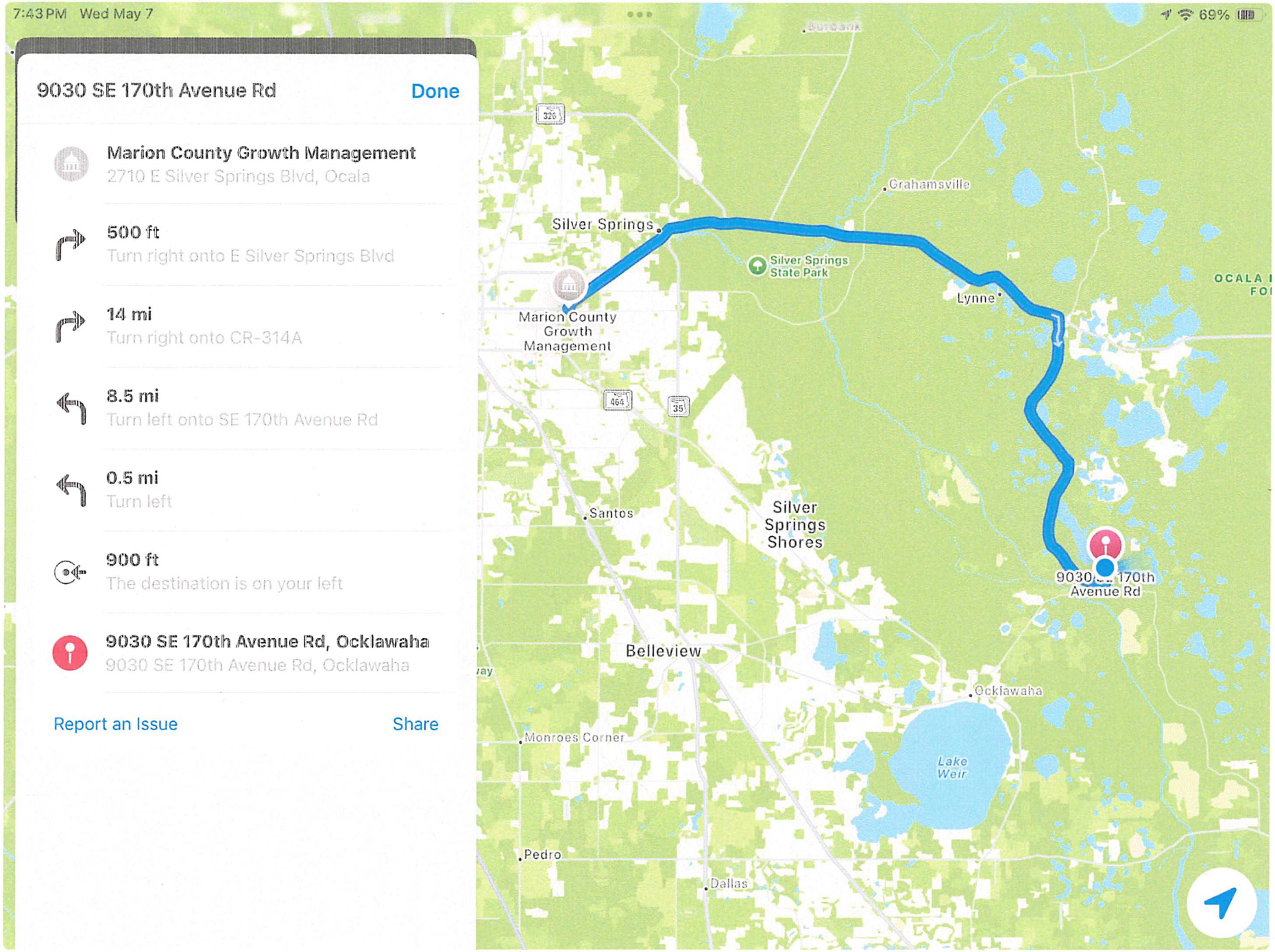
BILL BLEY & ASSOCIATES, INC.
521 SE 2nd STREET
OCALA, FLORIDA 34471
(352) 694-7777 FAX (352) 694-1777

CLIENT: MYNES
DATE OF FIELD WORK: 18-MAY-2001
DRAWN BY: L.B.
JOB NUMBER: 01-1493

A 4

Attachment A Application Package

Proposed Burial Plots
Legend
Proposed burial plots(2)
SE 170th Avenue Rd
SE 170th Avenue Rd
Proposed burial plots(2)
Google Earth
Image © 2025 Airbus
N
300 ft


7:43 PM Wed May 7
69%
9030 SE 170th Avenue Rd
Done
Marion County Growth Management
2710 E Silver Springs Blvd, Ocala
500 ft
Turn right onto E Silver Springs Blvd
14 mi
Turn right onto CR-314A
8.5 mi
Turn left onto SE 170th Avenue Rd
0.5 mi
Turn left
900 ft
The destination is on your left
9030 SE 170th Avenue Rd, Ocklawaha
9030 SE 170th Avenue Rd, Ocklawaha
Report an Issue
Share
Silver Springs
Grahamsville
Silver Springs State Park
Lynne
Marion County Growth Management
Santos
Silver Springs Shores
Belleview
Ocklawaha
Monroes Corner
Lake Weir
Pedro
Dallas
326
464
35

RETURN TO/THIS INSTRUMENT PREPARED BY: Kari Yoder
Inspire Closing Services
420 Rouser Rd., Suite 500
Moon Township, PA 15108

This instrument prepared by:
Brittany Baran
Inspire Closing Services
420 Rouser Rd., Suite 500
Moon Township, PA 15108

QUITCLAIM DEED

PROPERTY PARCEL ID: **R39636-001-05**
FILE NO: 209819

THIS INDENTURE, Made this 4th day of June, 2018,

by and between Clifford Mynes, who acquired title a single man and X Suzi X, who acquired title as Suzi X, a single woman, now husband and wife, as joint tenants with rights of survivorship whose address is: 9030 SE 170TH AVENUE RD, OCKLAWAHA FL, 32179 hereinafter collectively referred to as "Seller", and Clifford Mynes and X Suzi, husband and wife, as joint tenants with rights of survivorship whose address is: 9030 SE 170TH AVENUE RD, OCKLAWAHA FL, 32179 hereinafter collectively referred to as "Buyer",

WITNESSETH: That Seller, for and in consideration of the sum of $Ten and No/100 Dollars, and other valuable considerations, lawful money of the United States of America, to Seller in hand paid by the Buyer, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed to the Buyer,

Buyer's heirs and assigns forever, all the rights, title, interest and claim of the Seller in and to the following described land in MARION County, Florida, to-wit:

See Exhibit A attached hereto and made a part hereof

BEING the same premises which Clifford Mynes, a single man, and Suzi X, a/k/a Susie X, a single woman in deed dated 08/20/2001 and recorded 08/23/2001 in the MARION County Recorder's Office in Deed Book Volume 3009, page 36, granted and conveyed to Clifford Mynes, a single man and Suzi X, a single woman, as joint tenants with rights of survivorship, the Grantors herein.

This property is the homestead of the seller(s).

To Have and to Hold, the above described premises, with the appurtenances, unto Buyer, Buyer's heirs and assigns forever.

IN WITNESS WHEREOF, Seller has executed this deed under seal on the date aforesaid.

Clifford Mynes
Address: 9030 SE 170TH AVENUE RD, OCKLAWAHA FL, 32179

Witness Cody Green

X SUZI
Address: 9030 SE 170TH AVENUE RD, OCKLAWAHA FL, 32179

Witness MAVERICK D. HAMPTON

Address: 9030 SE 170TH AVENUE RD, OCKLAWAHA FL, 32179

Address: 9030 SE 170TH AVENUE RD, OCKLAWAHA FL, 32179

STATE OF Florida

COUNTY OF Marion

The foregoing instrument was acknowledged before me this 4th day of June, 2018 by CLIFFORD MYNES AND X SUZI who is/are personally known to me or who has/have produced driver license(s) as identification.

Notary Public

Printed Name: MAVERICK D. HAMPTON

My Commission expires: 1/18/21

MAVERICK D. HAMPTON
MY COMMISSION # GG48273
EXPIRES: January 18, 2021

Exhibit A
Legal Description

Tract 5 of LAKE SIDE MINI-FARMS, Commence at the NE comer of the North ½ of the NE 1/4 of Section 23, Township 16 South, Range 24 East, Marion County, Florida, thence N.89°49'46"E. 29. 70 feet to the Westerly right of way line of a county graded road, thence S.02°39'15"W. along said right of way line 100.15 feet to the Point of Beginning, thence continue S.02°39'15"W. along said right of way line 420.09 feet, thence S.89°32'54"W. 1128.44 feet, thence N.00°27'06"W. 419.47 feet, thence N.89°32'54"E. 1151.20 feet to the Point of Beginning.

R39636-001-05

193

DAVID R ELLSPERMANN
CLERK OF MARION COUNTY
BK 02999 PG 0226
FILE NUM 2001079067
RECORDED 08/03/2001 04:14:05 PM
RECORDING FEES 6.00
RECORDED BY D Mahnken

This Instrument Prepared By
CHARLES E. BERK, P.A.
2603 Southeast 17th Street
Suite C
Ocala, Florida 34471

Parcel #39636-001-05
Grantee S.S. #_____
#_____

WARRANTY DEED

THIS INDENTURE made this 3rd day of August, 2001, between CLIFFORD MYNES, a single man, party of the first part, and CLIFFORD MYNES, a single man and SUSIE X, a single woman, as joint tenants with rights of survivorship, whose post office address is 25 Lake Court Loop, Ocala, Florida 34472, parties of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of Love and Affection, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said parties of the second part, their heirs and assigns forever, the following described land, situate and being in the County of Marion and State of Florida, to-wit:

> Tract 5 of LAKE SIDE MINI-FARMS, Commence at the NE corner of the North ½ of the NE 1/4 of Section 23, Township 16 South, Range 24 East, Marion County, Florida, thence N.89°49'46"E. 29.70 feet to the Westerly right of way line of a county graded road, thence S.02°39'15"W. along said right of way line 100.15 feet to the Point of Beginning, thence continue S.02°39'15"W. along said right of way line 420.09 feet, thence S.89°32'54"W. 1128.44 feet, thence N.00°27'06"W. 419.47 feet, thence N.89°32'54"E. 1151.20 feet to the Point of Beginning.

SUBJECT TO easements, restrictions and reservations of record, if any, but this shall not serve to reimpose same.

And the said party of the first part does hereby fully warrant the title to said lands, as specified under Florida Statute 689.02, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

Sign Joan M. Sieger
Print Joan M. Sieger
Sign Gail Browning
Print Gail Browning

Sign Clifford Mynes
Print CLIFFORD MYNES

Address: 25 Lake Court Loop
Ocala, Florida 34472

STATE OF FLORIDA

SEC 23 TWP 16 RGE 24
PLAT BOOK UNR
LAKE SIDE MINI-FARMS
TRACT 5 BEING MORE FULLY DESC AS FOLLOWS:
COM AT NE COR OF THE N 1/2 OF THE NE 1/4 TH N 89-49-46 E 29.70 FT
TO THE WLY ROW LINE OF A COUNTY GRADED ROAD TH S 02-39-15 W
ALONG SAID ROW LINE 100.15 FT TO POB TH CONT S 02-39-15 W 420.09
FT TH S 89-32-54 W 1128.44 FT TH N 00-27-06 W 419.47 FT TH
N 89-32-54 E 1151.20 FT TO POB

Jimmy H. Cowan, Jr., CFA

Marion County Property Appraiser

501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card

Real Estate

39636-001-05

GOOGLE Street View

Prime Key: 974471 MAP IT+ Current as of 5/7/2025

Property Information

MYNES CLIFFORD
SUZI X
9030 SE 170TH AVENUE RD
OCKLAWAHA FL 32179-3645

Taxes / Assessments:
Map ID: 330
Millage: 9001 - UNINCORPORATED

M.S.T.U.
PC: 01
Acres: 10.98

Situs: 9030 SE 170TH AVENUE RD
OCKLAWAHA

2024 Certified Value

Land Just Value	$170,805		
Buildings	$227,042		
Miscellaneous	$31,199		
Total Just Value	$429,046	Impact	($194,268)
Total Assessed Value	$234,778	Ex Codes: 01 38	
Exemptions	($50,000)		
Total Taxable	$184,778		
School Taxable	$209,778		

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$170,805	$227,042	$31,199	$429,046	$234,778	$50,000	$184,778
2023	$116,765	$178,078	$27,154	$321,997	$227,940	$50,000	$177,940
2022	$116,765	$159,357	$28,060	$304,182	$221,301	$50,000	$171,301

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
6780/1508	06/2018	05 QUIT CLAIM	0	U	I	$100
3009/0036	08/2001	08 CORRECTIVE	0	U	V	$100
2999/0226	08/2001	07 WARRANTY	7 PORTIONUND INT	U	V	$100
2977/0598	06/2001	07 WARRANTY	2 V-SALES VERIFICATION	U	V	$43,000
2977/0593	06/2001	07 WARRANTY	0	U	V	$100
2959/1528	04/2001	08 CORRECTIVE	0	U	V	$100

Property Description

SEC 23 TWP 16 RGE 24

PLAT BOOK UNR
LAKE SIDE MINI-FARMS
TRACT 5 BEING MORE FULLY DESC AS FOLLOWS:
COM AT NE COR OF THE N 1/2 OF THE NE 1/4 TH N 89-49-46 E 29.70 FT
TO THE WLY ROW LINE OF A COUNTY GRADED ROAD TH S 02-39-15 W
ALONG SAID ROW LINE 100.15 FT TO POB TH CONT S 02-39-15 W 420.09
FT TH S 89-32-54 W 1128.44 FT TH N 00-27-06 W 419.47 FT TH
N 89-32-54 E 1151.20 FT TO POB

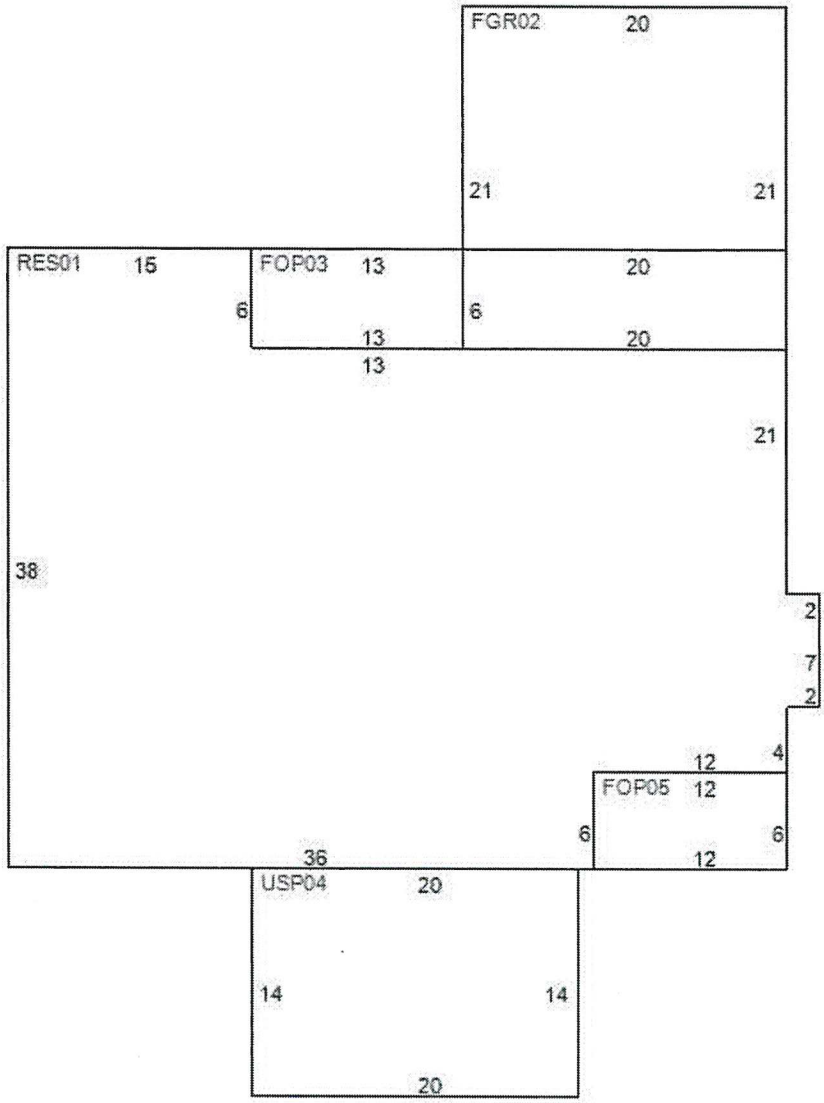
Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
9902		420.0	1,139.0	A1	9.20	AC						
5000		.0	.0	A1	1.00	AC						
9525		.0	.0	A1	.78	AC						
9994		420.0	.0	A1	1.00	UT						

Neighborhood 8720 - N 95 ST RD & W 170 AVE RD
Mkt: 10 70

Traverse

Building 1 of 1
RES01=L13U6L15D38R36U6R12U4R2U7L2U21L20D6.
FGR02=U21R20D21L20.
FOP03=U6L13D6R13.D32L13
USP04=D14R20U14L20.R21
FOP05=U6R12D6L12.



Building Characteristics

Improvement	1F - SFR- 01 FAMILY RESID
Effective Age	3 - 10-14 YRS
Condition	1
Quality Grade	600 - AVERAGE
Inspected on	5/21/2018 by 211

Year Built 2004
Physical Deterioration 0%
Obsolescence: Functional 0%
Obsolescence: Locational 0%
Architecture 0 - STANDARD SFR
Base Perimeter 188

Type	ID	Exterior Walls	Stories	Year Built	Finished	Attic	Bsmt Area	Bsmt Finish	Ground Floor Area	Total Flr Area
RES	0132	CONC BLK-STUCO	1.00	2004	N		0 %	0 %	1,688	1,688
FGR	0232	CONC BLK-STUCO	1.00	2004	N		0 %	0 %	420	420
FOP	0301	NO EXTERIOR	1.00	2004	N		0 %	0 %	78	78
USP	0401	NO EXTERIOR	1.00	2004	N		0 %	0 %	280	280
FOP	0501	NO EXTERIOR	1.00	2004	N		0 %	0 %	72	72

Section: 1

Roof Style: 10 GABLE
Roof Cover: 08 FBRGLASS SHNGL
Heat Meth 1: 20 HEAT PUMP
Heat Meth 2: 00

Floor Finish: 42 CERAMIC/PORCELAIN TILE
Wall Finish: 16 DRYWALL-PAINT
Heat Fuel 1: 10 ELECTRIC

Bedrooms: 2
4 Fixture Baths: 0
3 Fixture Baths: 2

Blt-In Kitchen: Y
Dishwasher: Y
Garbage Disposal: N
Garbage Compactor: N

Foundation: 6 MONOLITC SLAB **Heat Fuel 2:** 00 **2 Fixture Baths:** 0 **Intercom:** N
A/C: Y **Fireplaces:** 0 **Vacuum:** N
Extra Fixtures: 2

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width
256 WELL 1-5 BTH	1.00	UT	99	1967	2	0.0	0.0
190 SEPTIC 1-5 BTH	1.00	UT	99	2003	2	0.0	0.0
159 PAV CONCRETE	405.00	SF	20	2004	3	0.0	0.0
UDU UTILITY-UNFINS	648.00	SF	40	2004	2	27.0	24.0
UDG GARAGE-UNFINSH	600.00	SF	40	2007	3	30.0	20.0
159 PAV CONCRETE	400.00	SF	20	2007	3	0.0	0.0
UDU UTILITY-UNFINS	200.00	SF	40	2007	2	10.0	20.0
FDG GARAGE-FINISHD	900.00	SF	40	2010	3	30.0	30.0
UCP CARPORT-UNFIN	600.00	SF	40	2010	3	20.0	30.0
048 SHED OPEN	342.00	SF	15	2007	1	18.0	19.0
048 SHED OPEN	342.00	SF	15	2007	1	18.0	19.0

Appraiser Notes

2010

Planning and Building
** Permit Search **

Permit Number	Date Issued	Date Completed	Description
2019070652	7/9/2019	8/1/2019	ROOF OVER WITH METAL OVER SINGLE LAYER OF SHINGLES FL-20484.
M080119	8/1/2003	1/1/2004	SFR

Development Review Comments Letter

6/26/2025 2:41:12 PM

X, SUZI AND MYNES, CLIFFORD
ZO SUP #32850

ID	DESCRIPTION	REMARK	STATUS	DEPT
1	Special Use Permit	N/A - No review necessary	INFO	911
2	Special Use Permit	Stormwater is not opposed to the special use permit. The applicant is requesting a SUP for the purpose of establishing two burial plots. Parcel # 39636-001-05 is currently zoned A-1 and is 10.98 acres in size. There are FEMA Flood Zones and a County Flood Prone Area on this site. Per the MCPA, this site currently has 6,975 SF of impervious coverage. This site will be subject to a Major Site Plan or waiver when its existing and proposed impervious coverage exceeds 9,000 SF.	INFO	ENGDRN
3	Special Use Permit	5/29/25 - No adverse traffic conditions anticipated for this request.	INFO	ENGTRF
4	Special Use Permit	APPROVED	INFO	FRMSH
5	Special Use Permit	no comments	INFO	LSCAPE
6	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	LUCURR
7	Special Use Permit	The Special Use Application for burial plots have no impact on flows. No comment from Marion County Utilities. Parcel 39636-001-05 is located within the Marion County Service Area, outside of connection distance with the closest water being over 15,000' away. Located within the Secondary Springs Protection Zone. Located outside of the Urban Growth Boundary. Not located within a neighborhood.	INFO	UTIL
8	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	ZONE

Attachment C Site Photos

Facing north from proposed burial site

Facing northeast from proposed burial site

Facing northwest from proposed burial site

Proposed burial site facing south

Facing south east from proposed burial site

Proposed burial site facing south

Attachment C Site Photos

Facing southeast from proposed site

Facing south from proposed burial site

Facing southeast from proposed burial site

Facing southwest from proposed burial site

Facing north from proposed burial site

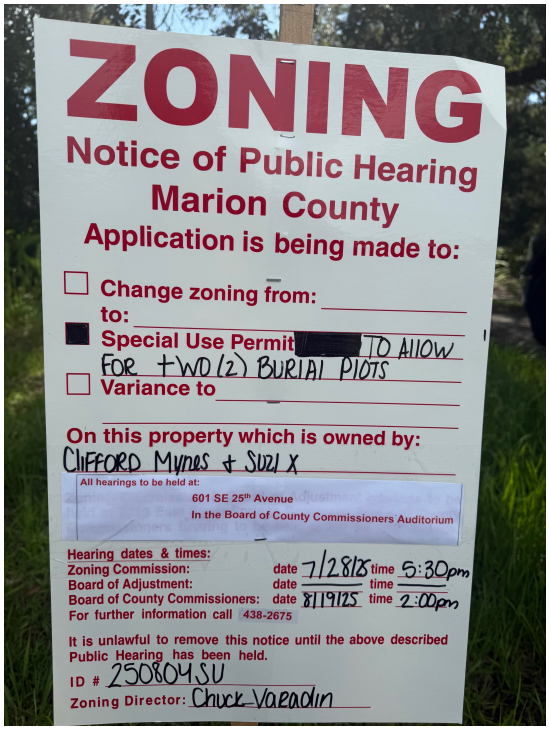
Proposed burial site facing west

Attachment C Site Photos

Facing west from proposed burial site towards back of property

View of neighbor on southwest from proposed burial site

Facing southwest partial neighbors view from proposed burial site



Sign posting

Sign posting and front of parcel

Roberts

By Gratitude & Compassion

December 18, 2024

Mrs. Su Zi
9030 SE 170th Ave
Ocklawaha, FL 32179

RE: Agreement #317-8013719

Dear Mrs. Su Zi,

On behalf of the support staff, management and the entire Roberts family, I wanted to say "Thank you" for the trust and confidence you have placed with our locally owned and family operated funeral home. With over 160 years of combined professional experience helping our community, you can rest easy knowing each and every member of our team is passionately dedicated to the service of others in their time of need.

Please allow this letter to serve as written confirmation that your arrangements have been received and accepted by our firm.

We have taken the liberty of including Emergency Record Cards for your pre-arrangement purchase. Should you need additional cards or copies of your agreements or have any further questions, simply give us a call at 352-537-8111.

At Roberts of Ocala, it is always an honor and our privilege to assist you and your family with your funeral, cremation and memorialization needs.

Respectfully,

Stephen L. Solomon
Family Care Manager
Roberts of Ocala Funerals & Cremations

Enclosure: Emergency cards

PREARRANGED TRUST FUNDED FUNERAL AGREEMENT

317-8013719

FIRM INFORMATION

Roberts of Ocala Funerals and Cremations
606 SW 2nd Ave
Ocala, FL 34471
(352) 537-8111
License# F459068

PURCHASER INFORMATION

Mrs Su Zi
9030 SE 170th Ave
Ocklawaha, FL 32179
[redacted]
Sex: Female
[redacted]

Relationship To Beneficiary: Self
Email: x.suzi@live.com

BENEFICIARY INFORMATION

☐ Check box if same as Purchaser

Mrs Su Zi
9030 SE 170th Ave
Ocklawaha, FL 32179
[redacted]
Sex: Female
[redacted]

Email: x.suzi@live.com

GUARANTEED / NON-GUARANTEED STATEMENT OF FUNERAL GOODS AND SERVICES SELECTED

Unless indicated by an * the prices for Services and Merchandise are not guaranteed. The prices for Cash Advance Items are not guaranteed. For all items for which the prices are non-guaranteed, the current retail price of those items, at Maturity, will be charged and must be paid for prior to the provision of the Services and Merchandise.

Services

Care and Preparation of Remains
- Washing & Disinfecting of Un-Embalmed Remains * [redacted]
- Dressing, Casketing & Cosmetology * [redacted]

Use of Facilities and Staff
- Supervision of a Graveside/Commital Service * [redacted]
- Refrigeration * [redacted]

Transportation (Within 50 miles of the Funeral Home)
- Transfer of Remains Into Our Care(within 50 Miles, $3/mi beyond) * [redacted]
- Hearse (within 50 Miles, $3/mi beyond) * [redacted]
- Flower Van/Lead Vehicle * [redacted]

Funeral Director and Staff Services
- Basic Services of Funeral Director and Staff * [redacted]

Total Services [redacted]

Merchandise

Caskets
- #71006999 NAHUM UNFINISHED No Material - Pine - Handles Lift off lid, Star of David * [redacted]

Outer Burial Container
- Jewish Graveliner * [redacted]

Clothing
- Jewish Shroud * [redacted]

Monuments
- 3'-0" x 1'-2" x 0"- 4" Grey Granite Flush Memorial Incids: Name, Dates of Birth & Death three emblems, wording as allowed and installation in Ocala * [redacted]

Total Merchandise [redacted]

Non-Guaranteed Cash Advance Items

We charge you for our services in obtaining those items designated with an asterick(*) below. Certain charges may be estimated. Indicated by "est"

1 Burial right @ Bnai Darom Cemetery, Ocala FL [redacted]

Total Non-Guaranteed Cash Advance Items [redacted]

Other Fees

Processing Fee [redacted]

Total Official and Required Fees [redacted]

Total Purchase Price [redacted]

317-8013719

PAYMENT SCHEDULE

Paid in Full ☐ Yes ☑ No

Total Purchase Price (Itemized on Page 1) $ [redacted]

Less Credit / Assignment N/A (0.00)

Subtotal $ [redacted]

Less Down Payment Received on 12 / 17 / 2024 ([redacted]

Remaining Balance Due $ [redacted]

Annual Percentage Rate (not to exceed 18%) 0.00 % **Service Charge** $ 0.00

(The amount you will have paid when you have made all scheduled payments.) Total of Payments $ [redacted]

Purchaser's Payment Schedule

5 Number of Payments

Payments are Due Monthly Unless Indicated ☐ Quarterly ☐ Semi-Annually ☑ Annually

Final payment not to exceed regular installment amount.

[redacted] Date 1st Payment is Due

$ [redacted] Regular Payment Amount

$ [redacted] Final Payment Amount

☑ Order Coupon Payment Book

This agreement may be prepaid in full or in part at any time without penalty.

PREAUTHORIZED DEBIT

N/A Initials

Purchaser to initial block if applicable. By initialing this block, Purchaser authorizes FSI to debit Purchaser's deposit account for all payments due under this Agreement. Each month FSI will initiate a debit in the amount of the monthly payment from Purchaser's account on or about the payment due date shown above. Either party may choose to terminate these preauthorized debits by sending 30 days prior written notice to the other party. If these preauthorized debits are terminated before all amounts due under this Agreement have been paid in full, Purchaser agrees to make payments by another payment method. **Provide voided check or bank account information.**

IRREVOCABLE CERTIFICATION

N/A Initials

Purchaser to initial block if applicable. Unless Purchaser initials this block, this Agreement is revocable and may be cancelled at any time. By initialing this block, Purchaser certifies that Beneficiary is the Purchaser for the purpose of Section 497.459, Florida Statutes, and that as such is an applicant for, or a recipient of, public assistance and desires to make this Agreement irrevocable in order to qualify for such assistance.

RECEIPT OF PRICE LIST(S) ACKNOWLEDGEMENT

SZ Initials

Purchaser to initial block to acknowledge receipt. By initialing this block, Purchaser acknowledges that before selecting the services and merchandise identified on Page 1, Purchaser received a copy of the General Price List and that the Casket Price List and Outer Burial Container Price List were made available to Purchaser.

IDENTIFICATION AND DESCRIPTION OF MANDATORY ITEMS AND EXPLANATION OF EMBALMING CHARGE

Nature of Charges. Charges are only for those items that you selected or that are required. If we are required by law or by a cemetery or crematory to use any items, we will explain the reasons in writing below. If you selected a funeral that may require embalming, such as a funeral with viewing, you may have to pay for embalming. You do not have to pay for embalming you did not approve if you selected arrangements such as a direct cremation or immediate burial. If we charged for embalming, we will explain why below.

- ☐ Embalming is authorized by the legally authorized person, due to the type of service selected.
- ☑ The cemetery of choice requires the use of an outer burial container (vault).
- ☐ The crematory requires the use of a cremation casket or container.
- ☐ The airline requires the use of a shipping or combination container.
- ☑ Refrigeration authorized by you, due to the type of services selected.
- ☑ Selection of exact plot @ time of need Temple Exe States inurnment right is included with purch of plot
- ☑

TERMS AND CONDITIONS

1. This Agreement is made and entered into by and between the parties and is effective as of the date of the last signature hereto.
2. Purchaser is advised to refer to Chapter 497, Florida Statutes, for further information concerning this Agreement. A copy of Chapter 497, Florida Statutes, and the applicable trust instrument established thereunder may be inspected by Purchaser during business hours at Firm's place of business.
3. Purchaser acknowledges that this Agreement was complete as to all essential terms prior to signing by Purchaser and that a copy thereof was, or will be, delivered to Purchaser.
4. Firm has determined, as of the date of this Agreement, that the merchandise identified on Page 1 will be accepted at the following cemetery of Purchaser's choice: Temple Bnai Darom Cemetery, Ocala, FL
5. **Each payment received on this Agreement shall be allocated first to Service Charges, then to other fees, then to merchandise, then to services and lastly to cash advance items.**
6. **The amounts to be trusted, pursuant to this Agreement, are the greater of 30% of the retail purchase price, or 110% of the wholesale cost, of funds collected for merchandise; 70% of funds collected for services; and, 100% of funds collected for cash advance items.**
7. **Unless this Agreement has been made irrevocable, it may be cancelled. If this Agreement is cancelled within 30 days, Purchaser shall receive a refund of 100% of funds paid, less funds paid for delivered items. After 30 days, Purchaser shall receive a refund of 100% of funds paid for undeliverable merchandise, undelivered services and undelivered cash advance items. Other fees and Service Charges are non-refundable.**
8. **The Board of Funeral, Cemetery and Consumer Services regulates preneed contracts in Florida. Should you have a complaint, you should contact the Board at the Division of Funeral, Cemetery and Consumer Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0361, or by calling 1.800.323.2627.**

If you purchased this Agreement anywhere other than Firm's place of business the following applies: You, the Purchaser, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right.

Sa Zi — Signature of Purchaser — 12 / 18 / 2024 (MM DD YYYY)

Stephen Solomon — Signature of Firm's Authorized Representative — 12 / 18 / 2024 (MM DD YYYY)

4120.01	SUZI	STES		SOLO	BURL	TGRV
FSI #	S of Name	Counselor #1	Counselor #2			

PINK HOUSE TRUST

19 September, 2020 CE

Rosh Hashana 5781

Prepared by
Lauchlin Tench Waldoch, Esq.
Waldoch & McConnaughhay, P.A.
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PINK HOUSE TRUST

I, Su Zi, as Grantor, hereby create the Pink House Trust ("the Trust") on 19 September 2020. I am the trustee of this Trust and, in that capacity, I and my successors are collectively referred to in this Trust as the "Trustees."

ARTICLE 1
FAMILY

I am married to Clifford E. Mynes, who is referred to as "my husband" in this Trust. My husband and I are both citizens of the United States. I have no children, but we have a family of non-human persons who are dependent on us and for whom this Trust is intended to benefit.

ARTICLE 2
TRANSFERS TO TRUST

I hereby hold as Trustee Ten Dollars ($10), which together with any assets later added to this Trust are referred to as the "Trust Estate." Any person may transfer assets to the Trust Estate, if the Trustees agree to accept them. Unless otherwise specified in writing at the time of the transfer, those assets will be held as provided in this Trust. The Trustees accept the responsibility of the Trustees, acknowledge receipt of the current Trust assets, and agree to hold the Trust Estate as set forth in this Trust.

ARTICLE 3
RESERVED RIGHTS

I reserve the following personal rights with respect to the Trust during my lifetime:

- To amend or revoke this Trust;
- To remove a Trustee and to designate a new Trustee;
- To withdraw assets, whether income or principal, from the Trust Estate;
- To require changes in the investments of the Trust Estate, but investments made by me are not subject to review by the Trustees unless my personal rights are suspended under Section 3.2;
- To direct the Trustees to perform any act of administration, whether or not contrary to the terms of the Trust; and
- To direct the Trustees to make distributions during my lifetime to any person named by me.

3.1 By Whom Exercisable. Except as provided below, all rights described above may be exercised only by me personally, from time to time, subject to the following: all exercises of these powers must be evidenced by a written instrument I signed, delivered to the Trustees, and any amendment of the Trust that contains

"testamentary aspects" as defined in Section 736.0403 of the Florida Statutes or a revocation of the Trust must be executed with the formalities of a Will in Florida. These powers, and any other powers conferred by law on a trust Grantor, may not be exercised by any guardian who may be appointed for me, except as indicated below. An attorney-in-fact to whom I have specifically given the power to amend this Trust in a written instrument executed after October 1, 2011, may modify this Trust to the extent provided in that instrument. In any case, my legal guardian or attorney-in-fact may amend (but not revoke) this Trust to the extent necessary to preserve a tax deduction, exemption, or credit consistent with my beneficial intentions as stated in this Trust. The Trustees are to be held harmless and indemnified from any liability for any of their actions or omissions made in reliance on my actions or instructions under this article.

3.2 Suspension of Rights. My personal rights under this article will be suspended immediately if I become disabled. For these purposes, my disability is determined as follows:

(a) Court Decision. If I am determined to be incapacitated by a court having jurisdiction, my personal rights reserved in this article will be suspended until my legal capacity is restored by a court.

(b) Private Decision. If the next successor Trustees reasonably believe that I am suffering from any mental or physical disability that would affect my judgment concerning management of the Trust, and if they obtain written confirmation of that opinion from my physician, they may give me written notice to that effect. Upon delivery to me of that written notice, my personal rights reserved in this article will be suspended immediately and the named successor Trustees will serve until my legal capacity is determined by a court or until the persons entitled to give such written notice rescind it.

(c) Other Facts. My personal powers will be suspended if the Trustees (or the successor Trustees, if applicable) receive credible and timely evidence that I have disappeared, am unaccountably absent, or am being detained under duress so that I am unable to look after my financial interests.

(d) HIPAA. For purposes of this Section 3.2, I appoint each of the persons named above as my personal representative under 45 CFR § 164.502(g), a portion of the regulations implementing the Health Insurance Portability and Accountability Act of 1996, as amended ("HIPAA"), to demand, obtain, review, and release to others medical records or other documents protected by the patient-physician privilege, attorney-client privilege, or any similar privilege, including all records subject to, and protected by, HIPAA.

3.3 Homestead Rights. Despite any other provision of this Trust, I reserve the right to reside on any real property owned by the Trust during my lifetime. I will be entitled to claim any available homestead tax exemption for any real property in the Trust, and, for purposes of that exemption, my interest in such property will be deemed an interest in real property and not an interest in personal property. This provision does

not restrict the Trustees from selling, leasing, or encumbering that property without my joinder in any deed or other instrument, provided any such action is consistent with the intent and purposes of this trust.

ARTICLE 4
PAYMENTS DURING MY LIFETIME

The Trustees shall pay to me or apply for my benefit (without obligation to any guardian who may be appointed for me) any income and principal that the Trustees in their discretion deem necessary or advisable for my best interests. The Trustees in their discretion also may make payments to one or more trusts in which I am a beneficiary, or may create a separate trust for my benefit. If my personal rights are suspended as provided above, the Trustees also may pay to my husband or apply for his benefit any income and principal that the Trustees in their discretion deem necessary or advisable for his health, support, and maintenance.

ARTICLE 5
DISTRIBUTIONS AFTER MY DEATH

Upon my death and after making provision for the payments described later in this instrument, the Trustees shall distribute the remaining Trust Estate as follows:

5.1 Gifts Under Will. If my Will makes a gift of a specific asset that is held in this Trust when I die, and if this Trust does not make a specific gift of that asset, the Trustees shall distribute that asset to the beneficiary named in my Will. If my Will gives my residuary probate estate to this Trust, and if my probate estate is insufficient to satisfy any other preresiduary gift under my Will, the Trustees shall satisfy the balance of that gift from the Trust.

5.2 Specific Gifts of Tangible Personal Property. If my husband does not survive me, I give any right, title or interest I may own in the Buick to Evelyn Mynes. I give all my remaining tangible personal property not given by other provisions of this article, or through my Will or any specific written list described in my Will, including furniture, household furnishings, motor vehicles, clothing, jewelry, and personal effects (together with all insurance on those items), to the Trustees of the Family/Companion Animal Trust, described below.

5.2 Residuary Trust Estate. The Trustees shall retain the Residuary Trust Estate for administration under the terms specified in Article 6.

ARTICLE 6
ADMINISTRATION OF FAMILY/COMPANION ANIMAL TRUST

The Trustees shall hold, administer, and distribute the Family/Companion Animal Trust (referred to as the "Trust") (assets and income in the Family/Companion Animal Trust are referred to as the "Trust Estate") in accordance with the powers granted under this Will and in accordance with the intent and purpose of the Trust as follows:

6.1 Intent and Purpose. The overall goal of the Trust is to preserve and protect my husband and our family of non human persons through effective use of our land and other assets, including my intellectual property rights. I have a Letter of Instruction to the Trustees which accompanies this Will which shall guide them in administering this Trust. My Letter of Instruction may change from time to time and it is my intent that the last dated Letter will reflect my wishes. All duties, rights and powers shall be administered, construed and interpreted with this intent and these purposes in mind, as expanded upon by the most recent Letter of Intent. At the death of my Husband, should he survive me, this Trust is intended to be and shall be construed as a trust under Section 736.0408 Florida Statutes.

(a) Equines. Our equines must continue to receive whatever care, exercise and treatment is appropriate and necessary according to the standard of care established while I was living. My Letter of Instruction identifies the current Equines as well as the Veterinarians, Trainers and individuals ("Equine Professionals Team" or "Team") in whom I have confidence for this purpose. My husband and I trust these individuals to identify others to assist in th care of the equines. If these individuals change during my life, I intend to alter my Letter of Instruction to the Trustees. If the time comes when the care and treatment according to our wishes is not available, we do not want our equines re-homed. The Trustees shall seek the advice of the Equine Professionals Team and upon the unanimous consent of such professionals, shall arrange for the gentle and loving passing over of the equine, with onsite burial in accordance with my Letter of Instruction.

(b) Equine Related Tangible Personal Property. I own and expect to own various items of equine related property, e.g., vehicles (golf carts, tractor, truck and trailer), tack, harnesses, barn equipment, equine supplies and driving carriages. These are to be maintained by the Trustees for use by and for our equines as may be necessary or appropriate. In the discretion of the Trustees, if it becomes necessary and advisable for the care of my equines, then these items may be sold and the net proceeds used for their care, treatment and maintenance as contemplated by this trust.

(c) Home and Land. The home and land shall continue to be used to house the equines and any other animals or non-human dependents that have relied upon us for their care. Upon the death of me and my husband and all the equines, and upon the unanimous consent of the Team, all animals and non-human dependents shall be lovingly and kindly allowed to cross over with onsite burial as provided in my Letter of Instruction; they shall not be re-homed.

(d) Intellectual Property. Any right, title or interest I may own in any intellectual property, including without limitation copyrights, patents or applications for same, shall be held managed and administered by the Trustees as part of this Trust, or as may be advisable, in a separate trust to be managed and administered by the Trustees; provided however, that my intellectual property trustee or administrator shall in all circumstances have control over my physical art and objects and shall be authorized to act as representative with the end goal of copyright in perpetuity with point of sales and physical copies only, no e-copies of intellectual property.

6.2 Distribution of Income and Principal.

(a) If my husband survives me, the Trustees in their sole and absolute discretion may pay to my husband or apply for his benefit any income or principal of the Trust, keeping in mind the intent and purpose of this Trust.

(b) At my husband's death, or if he does not survive me, the Trustees shall continue to manage and administer the Trust in accordance with the Intent and Purpose of the Trust as stated above. The Trustees may pay or apply any income or principal they deem necessary or advisable to further the trust intent and purposes as described herein and expanded upon by my most recently dated Letter of Intent.

6.3 Termination of Trust. Upon the death and crossing over of all equines and the crossing over of all non-human dependants as described above, the Trustees shall pay all costs, taxes and expenses attendant to winding up this Trust and distribute the Trust Estate in a manner that allows the land and house to remain in a conservation or environmental easement or other ownership to further equine, avian or wildlife conservation and preservation. If this cannot reasonably be accomplished, then the land and or the home should be sold to accomplish this, or if equine or wildlife conservation easements cannot reasonably be obtained, then the Trustees have the discretion to sell the home and property and invest the net proceeds into maintaining my intellectual property or depositing such proceeds into any trust created for such intellectual property. If this is not possible then to a charity invested in the preservation of equine and wildlife conservation selected by the Trustee.

ARTICLE 7
SUCCESSOR TRUSTEES

After my death or disability, I appoint Val Vlanzy and Northern Trust as the successor Trustees of this Trust and all trusts created by this Trust. If Val Vlanzy fails or ceases to serve he may appiont a successor to serve in his place.

ARTICLE 8
PROVISIONS GOVERNING TRUSTEES

The following provisions apply to all Trustees appointed under this Trust, including me while I serve as Trustee:

8.1 Incapacity of Trustee. If my personal rights are suspended as provided in Article 3, I will cease to serve as Trustee while those rights are suspended.

(a) Disability. If any other Trustee becomes disabled (as defined in this Trust), he or she will immediately cease to act as Trustee.

(b) Suspension. For purposes of this Section, if a Trustee unreasonably fails to sign a release of relevant medical information necessary to determine his or her capacity, that Trustee will be suspended 30 days after the request for

such a release is delivered to him or her by the named successor Trustee, or if none, by the persons then entitled to appoint a successor Trustee.

(c) Reinstatement. If a Trustee who ceases to serve because of a disability, or who is suspended as provided above, thereafter recovers from that disability or consents to the release of relevant medical information, he or she may elect to become a Trustee again by giving written notice to the then serving Trustees, and the last Trustee who undertook to serve will then cease to be a Trustee until another successor Trustee is required.

8.2 Resignation. Any Trustee may resign by giving 30 days' written notice delivered personally or by mail or email to any then serving Co-Trustee and to me if I am then living and not disabled; otherwise to the next named successor Trustee, or if none, to the persons having power to appoint successor Trustees.

8.3 Power to Name Other Trustees. Whenever a successor Trustee is required and that position is not filled under the terms specified in this Trust, an individual Trustee ceasing to serve (other than a Trustee being removed) may appoint his or her successor, but if none is appointed, the remaining Trustees, if any, shall appoint one or more successor Independent Trustees, and may appoint at any time one or more Co-Trustees to serve with a Trustee. The appointment will be by a written document (including a testamentary instrument) delivered to the appointed Trustee and to me, but if I am deceased or disabled, to all other persons specified in this Section. Nothing in this Article shall be construed to require appointment of a corporate trustee.

8.4 Removal of Trustees. I reserve the right to remove any Trustee for any reason, with or without cause, by giving written notice to that Trustee. After my death, or if my personal rights are suspended as provided in Article 3, the right to remove Trustees may be exercised as follows:

(a) Removal for Cause. The persons then entitled to appoint successor Trustees other than myself, may remove any or all Trustees for cause, as defined in later in this instrument. The removal of an individual Trustee under this paragraph will be effective immediately upon delivery to him or her of the written agreement for removal signed by all of the persons whose consent is required.

(b) Acceptance Required. If there are no successor Trustees named in this Trust who are eligible and willing to serve, a removal notice must name an Independent Trustee as a successor Trustee, and a qualified successor Trustee must accept appointment within the period of the removal notice.

(c) Exceptions. Despite the foregoing, no person proposed to be removed as Trustee may participate in exercising this removal power. Any such person will not be counted in determining the required votes for removal.

8.5 Powers of Successor Trustees. Successor Trustees will have all powers granted to the original Trustees, except that only an Independent Trustee will succeed to the powers vested exclusively in the Independent Trustee. Unless a Co-Trustee continues

to serve, a Trustee ceasing to serve for any reason has the duties and powers necessary to protect the Trust Estate until it is delivered to a successor Trustee.

8.6 Accountings. Unless waived, accountings must be given to Qualified Beneficiaries at least annually (quarterly if a Corporate Trustee is serving), as provided in Sections 736.0813 and 736.08135 of the Florida Statutes. The written approval by a beneficiary (individually or by representation) of an accounting will be final and binding upon that beneficiary and all persons represented by him or her as to all matters disclosed in that accounting. In any event, if a beneficiary (or his or her representative) fails to object to an accounting within six months of receiving it, that beneficiary's approval is conclusively presumed. A successor Trustee may require the prior Trustee to render a full and final accounting. The Trustee shall provide all other information required under Section 736.0813 of the Florida Statutes, unless waived as permitted in that section, and the limitations on proceedings against the Trustee as specified in Section 736.1008 of the Florida Statutes will apply, despite any other provision of this section.

8.7 Acts by Other Fiduciaries. The Trustees shall take reasonable steps to compel a former Trustee or other person to deliver trust property to the Trustee, but otherwise are not required to question any acts or failures to act of the fiduciary of any other trust or estate, and will not be liable for any prior fiduciary's acts or failures to act. The Trustees can require a beneficiary who requests an examination of another fiduciary's actions or omissions to advance all costs and fees incurred in the examination, and if the beneficiary does not, the Trustees may elect not to proceed or may proceed and offset those costs and fees directly against any payment that would otherwise be made to that beneficiary.

8.8 Court Supervision. I waive compliance by the Trustees with any law requiring bond, registration, qualification, or accounting to any court.

8.9 Compensation. Each Trustee is entitled to be paid reasonable compensation for services rendered in the administration of the Trust. Reasonable compensation for a Corporate Trustee will be its published fee schedule in effect when its services are rendered unless otherwise agreed in writing, and except as follows. Any fees paid to a Corporate Trustee for making principal distributions, for termination of the trust, and upon termination of its services must be based solely on the value of its services rendered, not on the value of the trust principal. During my lifetime the Trustees' fees are to be charged wholly against income (to the extent sufficient), unless directed otherwise by me in writing.

8.10 Indemnity. Any Trustee who ceases to serve for any reason will be entitled to receive (and the continuing Trustees shall make suitable arrangements to provide) reasonable indemnification and security to protect and hold that Trustee harmless from any damage or liability of any nature that may be imposed upon it because of its actions or omissions while serving as Trustee. This protection, however, does not extend to a Trustee's negligent actions or omissions that clearly and demonstrably result in damage or liability. A prior Trustee may enforce these provisions against the current Trustees or against any assets held in the Trust, or if the prior Trustee is an individual,

against any beneficiary to the extent of distributions received by that beneficiary. This indemnification right will extend to the estate, personal representatives, legal successors, and assigns of a Trustee.

8.11 Multiple Trustees. If there are two or more Trustees serving at any time, the following will apply:

(a) Authority. If only two Trustees are serving, any power or discretion of the Trustees may be exercised independently. If more than two Trustees are serving, and unless unanimous agreement is specifically required by the terms of this Trust, any power or discretion of the Trustees may be exercised only by a majority. Despite the foregoing, if a Co-Trustee is unavailable to perform duties because of absence, illness, disqualification under other law, or other temporary disability, and prompt action is necessary to achieve the purposes of the Trust or to avoid injury to the Trust property, the remaining Co-Trustee if only one, or a majority of the remaining Co-Trustees if more than one, may act for the Trust.

(b) Delegation. The Trustees may delegate to any one or more of themselves the authority to act on behalf of all the Trustees and to exercise any power held by the Trustees. Trustees who consent to the delegation of authority to other Trustees will be liable for the consequences of the actions of those other Trustees as if the consenting Trustees had joined the other Trustees in performing those actions. Despite the above, only an Independent Trustee may exercise the powers and discretions vested exclusively in Independent Trustees.

(c) Dissents. A dissenting Trustee who did not consent to the delegation of authority to another Trustee and who has not joined in the exercise of a power or discretion cannot be held liable for the consequences of the exercise. A dissenting Trustee who joins only at the direction of the majority will not be liable for the consequences of the exercise if the dissent is expressed in writing delivered to any of the other Trustees before the exercise of that power or discretion.

ARTICLE 9
SURVIVAL PROVISIONS

If my husband and I die under circumstances in which there is insufficient evidence to determine the order of our deaths, I will be deemed to have survived my husband for all purposes, including the determination of ownership of all nonprobate assets (to the extent not otherwise prohibited by law). If any beneficiary (other than my husband) is required to survive me or another person to receive a distribution, and if the beneficiary does not survive me or that other person by 90 days, or if that beneficiary cannot be located within one year after my or that other person's death despite reasonable attempts by the Trustees to locate that beneficiary, the beneficiary will be treated as if he or she died before me or that other person.

ARTICLE 10
PROTECTION OF INTERESTS

The interest of any beneficiary under this Trust, in both income or principal, may not be anticipated, alienated, or in any other manner assigned by the beneficiary and will not be subject to any legal process, bankruptcy proceedings, or the interference or control of the beneficiary's creditors or others.

ARTICLE 11
PAYMENTS OF EXPENSES AND TAXES

The Trustees are authorized in their discretion to use the principal and income of the Trust as they deem necessary or advisable for the payment of any legally enforceable obligations, costs of my last illness and funeral. In paying these obligations, expenses, and taxes, the following will apply:

11.1 Method of Payment. The Trustees may rely on a certification by my Personal Representatives as to the amount of those expenses and taxes. The Trustees may make payment directly or to my Personal Representatives, as my Personal Representatives request. The Trustees will be held harmless from any liability in making payments as so directed.

11.2 Excluded Property. If any funds become available to the trustees of any trust, including without limit, life insurance, qualified employee benefit plans, individual retirement accounts, or other property from sources specified in Section 2039 of the Internal Revenue Code, and those funds are not otherwise included in my gross estate for federal estate tax purposes, then none of those funds may be used to pay, directly or indirectly, any debts, taxes, or expenses of mine or my estate.

ARTICLE 12
FIDUCIARY POWERS

I grant to the Trustees full power to deal freely with any property in the Trust. The Trustees may exercise these powers independently and without the approval of any court. No person dealing with the Trustees need inquire into the propriety of any of their actions or into the application of any funds or assets. The Trustees however, shall exercise all powers in a fiduciary capacity in good faith, as a prudent person would using reasonable care, skill, and caution, for the best interest of the beneficiaries of any trust created in this Trust. Without limiting the generality of the foregoing, the Trustees are given the following discretionary powers in addition to any other powers conferred by law; *provided, however that all described powers shall be exercised in accordance with the intent and purpose of this Trust as stated above in Section 6.1*:

12.1 Type of Assets. Except as otherwise provided to the contrary, to hold funds uninvested for such periods as the Trustees deem prudent, and to invest in any assets the Trustees deem advisable even though they are not technically recognized or specifically listed in so-called "legal lists," without responsibility for depreciation or loss

on account of those investments, or because those investments are non-productive, as long as the Trustees act in good faith.

12.2 Original Assets. Except as otherwise provided to the contrary, to collect and retain the original assets they receive for as long as they deem best, and to dispose of those assets when they deem advisable, even though such assets, because of their character or lack of diversification, would otherwise be considered improper investments for the Trustees.

12.3 Tangible Personal Property. To receive and hold tangible personal property and to pay or refrain from paying storage and insurance charges for such property; and to permit any beneficiaries to use such property without either the Trustees or beneficiaries incurring any liability for obsolescence of the property.

12.4 Financial Accounts. To deposit trust money in one or more accounts in regulated financial service institutions, including but not limited to banks, savings institutions, and brokerage houses, and to draw checks, drafts, or other forms of withdrawal, including electronic transfers, from those accounts.

12.5 Specific Securities. To invest in assets, securities, or interests in securities of any nature, whether obtained in domestic or foreign markets, including (without limit) precious metals, and currencies; to invest in mutual or investment funds, including funds for which the Trustees or any affiliate performs services for additional fees, whether as manager, custodian, transfer agent, investment advisor or otherwise, or in securities distributed, underwritten, or issued by the Trustees, their affiliates, or syndicates of which they are a member and I specifically authorize the Trustee to invest in the instruments described in Section 736.0802(5) of the Florida Statutes (including assets other than qualified investment instruments) without notice to or consent from any beneficiary.

12.6 Property Transactions. To buy, sell, pledge, exchange, or lease any real or personal property, publicly or privately, for cash or credit, without court approval and upon the terms and conditions that the Trustees deem advisable; to execute deeds, leases, contracts, bills of sale, notes, mortgages, security instruments, and other written instruments; to grant, acquire, or exercise options; to improve, repair, insure, any property; to erect or alter buildings; to adjust boundaries; and to impose easements, including conservation easements, restrictions, and covenants as consistent with the terms and conditions with this Trust. An instrument described in this section will be valid and binding for its full term even if it extends beyond the full duration of the Trust.

12.7 Borrow Money. To borrow money from any source (including the Trustees in their nonfiduciary capacity), to guarantee indebtedness, and to secure the loan or guaranty by mortgage or other security interest.

12.8 Maintain Assets. To expend whatever funds they deem proper for the preservation, maintenance, or improvement of assets. The Trustees in their discretion may elect any options or settlements or exercise any rights under all insurance policies

that they hold. However, no fiduciary who is the insured of any insurance policy held in the Trust may exercise any rights or have any incidents of ownership with respect to the policy, including the power to change the beneficiary, to surrender or cancel the policy, to assign the policy, to revoke any assignment, to pledge the policy for a loan, or to obtain from the insurer a loan against the surrender value of the policy. All such power is to be exercised solely by the remaining Trustees, if any, or if none, by a special fiduciary appointed for that purpose by a court having jurisdiction.

12.9 Digital Assets and Accounts. As provided in and in furtherance of the Florida Fiduciary Access to Digital Assets Act ("FFADAA"), to access and control communications intended for me, and communicate on my behalf, whether by mail, electronic transmission, telephone, or other means; to access and control all of my accounts involving web-based communications or storage and web-hosted media, including but not limited to emails, messages, blogs, subscriptions, pictures, videos, e-books, audiobooks, memberships in organizations or commercial enterprises, and all forms of social media, whether or not those require a user name and password for access, even to the extent of compelling the provider to reset my information to data of my Trustees' choosing, all in keeping with the Electronic Communications Privacy Act of 1986, the Computer Fraud and Abuse Act of 1986, and FFADAA, as those may be amended; and to hold, control, and have access to and the use of any digital asset (as defined in FFADAA) held by any kind of computing or digital storage device or service.

12.10 Insurance. To obtain property, casualty, liability or any other insurance for the Trust, including insurance for the Trustees and their agents against damage or liability arising from administration of the Trust.

12.11 Advisors. To employ and compensate attorneys, accountants, advisors, financial consultants, managers, agents, and assistants (including any individual or entity who provides investment advisory or management services, or who furnishes professional assistance in making investments for the Trust) without liability for any act of those persons, if they are selected and retained with reasonable care. Fees may be paid from the Trust Estate even if the services were rendered in connection with ancillary proceedings. The Trustees may serve in any of these capacities and be compensated separately for their services in each.

12.12 Non-Pro Rata Distribution. To make any division or distribution in money or in kind, or both, without allocating the same kind of property to all shares or distributees, and without regard to the income tax basis of the property. Any division will be binding and conclusive on all parties.

12.13 Nominee. Except as prohibited by law, to hold any assets in the name of a nominee without disclosing the fiduciary relationship; to hold the property unregistered, without affecting its liability; and to hold securities endorsed in blank, in street certificates, at a depository trust company, or in a book entry system.

12.14 Custodian. To employ a custodian or agent ("the Custodian") located anywhere within the United States, at the discretion of the Trustees but at the expense of

the Trust, whether or not such Custodian is an affiliate of the Trustees or any person rendering services to the Trust; to register securities in the name of the Custodian or a nominee thereof without designation of fiduciary capacity; and to appoint the Custodian to perform such other ministerial functions as the Trustees may direct. While such securities are in the custody of the Custodian, the Trustees will be under obligation to inspect or verify such securities nor will the Trustees be responsible for any loss by the Custodian.

12.15 Administer Claims. To contest, compromise, arbitrate, or otherwise adjust claims in favor of or against the Trust, including paying those claims in full; to agree to any rescission or modification of any contract or agreement; and to refrain from instituting any suit or action unless indemnified for reasonable costs and expenses.

12.16 Corporate Rights. To vote and exercise any option, right, or privilege to purchase or to convert bonds, notes, stock (including shares or fractional shares of stock of any Corporate Trustee), securities, or other property; to borrow money for the purpose of exercising any such option, right, or privilege; to delegate those rights to an agent; to enter into voting trusts and other agreements or subscriptions; to participate in any type of liquidation or reorganization of any enterprise; and to write and sell covered call options, puts, calls, straddles, or other methods of buying or selling securities, as well as all related transactions.

12.17 Business Interests. To hold interests in sole proprietorships, general or limited partnerships, joint ventures, business trusts, land trusts, limited liability companies, and other domestic and foreign forms of organizations; and to exercise all rights in connection with such interests as the Trustees deem appropriate, including any powers applicable to a non-admitted transferee of any such interest.

12.18 Self-Dealing. To exercise all their powers even though they may also be acting individually or on behalf of any other person or entity interested in the same matters. The Trustees, however, shall exercise these powers at all times in a fiduciary capacity, primarily in the interest of the beneficiaries of the Trust. Despite any other provision of this Trust, no Trustee may participate in the decision to make a discretionary distribution that would discharge a legal support obligation of that Trustee. No Trustee who has made a disclaimer, either individually or as a Trustee, may exercise any discretion in determining the recipient of the disclaimed property, except pursuant to an ascertainable standard. All power to make such unlimited distributions, or to determine recipients of disclaimed property, will be exercised solely by the remaining Trustees, if any, or if there are no other Trustees then serving, by the person or persons named to serve as the next successor Trustee, or if there are none, by a special Trustee appointed for that purpose by a court having jurisdiction.

12.19 Elections. If no Personal Representative is serving for my estate, and to the extent permitted by law, to perform in a fiduciary capacity any act and make any and all decisions or elections under state law or the Internal Revenue Code on behalf of me or my estate, including but not limited to, joining in the filing of income and gift tax returns with my husband, claiming the whole or any part of the expenses of administration as

income tax deductions for my estate or this Trust, electing the marital deduction in whole or in part, making allocations of my exemption from the federal generation-skipping transfer tax, adopting alternate values for estate tax purposes, and selecting taxable years and dates of distribution. The Trustees are specifically excused from making equitable adjustments among beneficiaries because of any election.

12.20 Qualified Property. To manage any qualified real property or qualified family-owned business interests so as to avoid imposition of the additional estate tax under Sections 2032A or 2057 of the Internal Revenue Code, and to furnish security for the payment of any additional estate taxes imposed under those sections.

12.21 Expenses. To pay all expenses of administration for the Trust Estate, including all taxes, assessments, compensation of the Trustees and their employees and agents, and reimbursements for expenses advanced (with interest as appropriate). An Independent Trustee may determine how expenses of administration and receipts are to be apportioned between principal and income.

12.22 Allocations to Income and Principal. To treat premiums and discounts on bonds and other obligations for the payment of money in accordance with either generally accepted accounting principles or tax accounting principles and, except as otherwise provided to the contrary, to hold nonproductive assets without allocating any principal to income, despite any laws or rules to the contrary. The Trustees in their discretion may exercise the power described in Section 738.104 of the Florida Statutes to adjust between principal and income, as appropriate, including the allocation of some or all of the net capital gain to the beneficiaries as if it were fiduciary accounting income. The Trustees in their discretion may treat any discretionary distributions of principal as being paid first from realized capital gains. In addition, the Trustees may convert any income interest into a unitrust interest, or a unitrust interest to an income interest, as they see fit, all as provided in Section 738.1041 of the Florida Statutes.

12.23 Use of Income. Except as otherwise provided in this Trust, and in addition to all other available sources, to exercise their discretion in the use of income from the assets of the Trust to satisfy the liabilities described in this Trust, without accountability to any beneficiary.

12.24 Sever or Join Trusts. To sever any trust on a fractional basis into two or more separate trusts, and to segregate by allocation to a separate account or trust a specific amount from, a portion of, or a specific asset included in any trust. The Trustees may consolidate two or more trusts (including trusts created by different transferors) having substantially the same beneficial terms and conditions into a single trust. The Trustees may take into consideration differences in federal tax attributes and other pertinent factors in administering any separate account or trust, in making applicable tax elections, and in making distributions. A trust created by severance or consolidation will be treated as a separate trust for all purposes from the date on which the severance or consolidation is effective (which may be before the exercise of this power), and will be held on the same beneficial terms and conditions as those before the severance or consolidation. Income earned on a consolidated or severed amount, portion, or specific

asset after the consolidation or severance is effective will pass with that amount, portion, or specific asset.

12.25 Consolidated Funds. Unless inconsistent with other provisions of this Trust, to hold two or more trusts or other funds in one or more consolidated funds, in which the separate trusts or funds have undivided interests, except that an accounting must be rendered to each trust showing its undivided interests in those funds.

12.26 Valuations. In making distributions or allocations under the terms of this Trust to be valued as of a particular date, to use asset valuations obtained for a date reasonably close to that particular date (such as a quarterly closing date before or after that date) if, in the Trustees' judgment, obtaining appraisals or other determinations of value on that date would result in unnecessary expense, and if in the Trustees' judgment, the fair market value as determined is substantially the same as on that actual date. This paragraph will not apply if valuation on a specific date is required to preserve a qualification for a tax benefit, including any deduction, credit, or most favorable allocation of an exemption.

12.27 Incorporation. To incorporate any business or venture, and to continue any unincorporated business that the Trustees determine to be not advisable to incorporate.

12.28 Delegation. To delegate periodically among themselves the authority to perform any act of administration of any trust.

12.29 Loans; Advances. To make loans to anyone under commercially reasonable terms with adequate security.

12.30 Election of Benefits. To select a mode of payment under any employee benefit or retirement plan, annuity, or life insurance payable to the trustee, exercise rights under such plan, annuity, or insurance, including exercise of the right to indemnification for expenses and against liabilities, and take appropriate action to collect the proceeds.

12.31 Investment Manager. To employ any investment management service, financial institution, or similar organization to advise the Trustees and to handle all investments of the Trust and to render all accountings of funds held on its behalf under custodial, agency, or other agreements. If the Trustees are individuals, these costs may be paid as an expense of administration in addition to fees and commissions.

12.32 Depreciation. To deduct from all receipts attributable to depreciable property a reasonable allowance for depreciation, computed in accordance with generally accepted accounting principles consistently applied.

12.33 Disclaim Assets or Powers. To disclaim any assets otherwise passing or any fiduciary powers pertaining to any trust created hereunder, by execution of an instrument of disclaimer meeting the requirements of applicable law generally imposed upon individuals executing disclaimers. No notice to or consent of any beneficiary, other interested person, or any court is required for any such disclaimer, and the Trustees are to

be held harmless for any decision to make or not make such a disclaimer. No disclaimer by the Trustees, whether as a fiduciary or as an individual, will cause that person to be treated as having predeceased me for purposes of serving as Trustee.

12.34 Related Parties. To enter into any transaction on behalf of the Trust despite the fact that another party to that transaction may be: (i) a business or trust controlled by the Trustees, or of which the Trustees, or any director, officer, or employee of the Corporate Trustees, is also a director, officer, or employee; (ii) an affiliate or business associate of any beneficiary or the Trustees; or (iii) a beneficiary or Trustee under this Trust acting individually, or any relative of such a party.

12.35 Additional Powers for Income-Producing Real Estate. In addition to the other powers set forth above or otherwise conferred by law, the Trustees have the following powers with respect to any agricultural property or any other income-producing real property which is or may become a part of the Trust Estate:

- To retain and operate the property for as long as they deem advisable;
- To control, direct, and manage the property, determining the manner and extent of their active participation in these operations, and to delegate all or any part of their supervisory power to other persons that they select;
- To hire and discharge employees, fix their compensation, and define their duties;
- To invest funds in agricultural property or other land holdings and to use those funds for all improvements, operations, or other similar purposes;
- Except as otherwise provided with respect to mandatory income distributions, to retain any amount of the net earnings for working capital and other purposes that they deem advisable in conformity with sound and efficient management;
- To purchase and sell machinery, equipment, and supplies of all kinds as needed for the operation and maintenance of the properties and other land holdings; and
- To take all necessary steps to ensure that the agricultural property receives the proper cultivation, irrigation, spraying, pruning, and fertilization as is appropriate for equine and wildlife conservation easements.

12.36 Winding Up. On termination of a trust, to exercise the powers appropriate to wind up the administration of that trust and distribute the remaining assets to the persons or entities entitled to them as provided above, and to retain a reasonable reserve for the payment of debts, expenses, and taxes.

ARTICLE 13
ENVIRONMENTAL PROVISIONS

The following rules govern administration of the Trust with respect to assets that could cause the Trustees to incur liability for environmental contamination or hazardous wastes.

13.1 Vesting of Title. Title to the following types of assets will not vest in any Trustee (including a successor Trustee when it begins to serve) until the Trustees execute a written instrument accepting title to those assets:

- Real property or any interest of any nature in real property (including mortgages secured by real property), and
- Any interest in a partnership, limited liability company, or closely held corporation which owns real property or an interest in real property and in which the Trustees would have the ability to vote or otherwise participate in the management and control of the entity's operations.

If the Trustees refuse to accept title to an asset that has never been part of this Trust, title to that asset will revert to the transferor or pass to such other persons (other than the Trustees) as may be provided by applicable law. If a successor Trustee refuses to accept title to such an asset accepted by the prior Trustees, the prior Trustees (or their Personal Representatives) will continue to hold title to and administer that asset until it is distributed, sold, or otherwise disposed of, or until other relief is granted by a court having jurisdiction over the Trust. Until they accept title to such an asset, the Trustees will have no fiduciary duty with respect to that asset.

13.2 Audits. The Trustees may require environmental audits acceptable to them to be made at any time at the expense of the Trust.

13.3 Liability. The Trustees will not be liable to any beneficiary for any claims against or losses incurred by the Trust because of compliance with laws regulating environmental contamination or hazardous wastes, including reporting or abating contamination, cleaning up property, incurring expenses in connection with administrative or judicial proceedings, and establishing reserves for such payments, even if amounts expended exceed the value of the property. The Trustees may require indemnities or other arrangements satisfactory to them that will protect and hold them harmless from liability that might be incurred for environmental contamination or hazardous substances.

13.4 Other Laws. These provisions are in addition to other remedial powers and rights given to fiduciaries under applicable law.

ARTICLE 14
INSURANCE PROVISIONS

Any insurance policies acquired by or payable to the Trustees as an asset of this Trust are to be administered as follows:

14.1 Payment of Premiums. The Trustees may pay from the income and principal of the Trust any premiums or assessments upon any insurance policies that they hold under the terms of this instrument.

14.2 Collection of Policy Proceeds. Upon the death of an insured, the Trustees shall process all claims for payment of death benefits payable to the Trustees. If payment of any policy is contested, however, the Trustees will not be obligated to begin legal proceedings for collection unless they are indemnified to their satisfaction for all costs, including attorney's fees. The Trustees may repay any person, including themselves, from the Trust for any advances or expenses incurred in attempting to collect death benefits on such policies.

14.3 Trustee Protection. The Trustees will have no liability or responsibility for any loss resulting from the failure of any insurance company and its inability to pay a claim under any insurance policy acquired by the Trustees. The Trustees will be under no obligation to invest any cash value accumulated in any life insurance policy owned by the Trust, regardless of the investment yield on such value within the policy as compared to the net investment yield which could be obtained outside the policy. The Trustees will not be liable or accountable to anyone for the exercise or nonexercise of any rights, benefits, options, or privileges under any policy held in this Trust, including the option to borrow against the cash values to obtain a higher investment yield outside the policy. In addition, Section 736.0902, Florida Statutes (and any successor provision providing for an exception to the prudent investor rules with respect to life insurance policies) applies to all contracts of life insurance held or acquired by the Trust.

14.4 Responsibilities of Insurance Companies. No insurance company will be responsible for the application of any insurance proceeds by the Trustees. Payment to the Trustees of the benefits due with respect to any insurance policy held as part of the Trust will completely discharge the insurance company from any further liability under that policy.

ARTICLE 15
QUALIFIED PLAN PROCEEDS

If any funds from qualified employee benefit plans, individual retirement accounts, or other property from sources specified in Section 2039 of the Internal Revenue Code (collectively referred to as the "Accounts") become available to the Trustees of any trust created under this Trust, the provisions of this article will apply to these trusts and the Accounts paid to them.

15.1 Designated Beneficiaries. I wish to allow the maximum deferral of distributions from the Accounts. Therefore, unless a contrary intent appears in the

appropriate beneficiary designation form, I intend and direct that any trust to which one or more of the Accounts are payable qualify as a "see-through" trust and its beneficiaries be treated as "designated beneficiaries" within the meaning of the minimum distribution rules under Section 401(a)(9) of the Internal Revenue Code and applicable regulations. No portion of the Accounts will be payable to an entity, such as my estate or an Exempt Organization, unless there are no qualified recipients eligible to receive those funds.

15.2 Restrictions on Accounts. No portion of the Accounts payable to a trust may be used, paid, or appointed in such a way as to disqualify the trust beneficiaries as designated beneficiaries. By way of example and not in limitation:

(a) No portion of the Accounts may be used to pay, directly or indirectly, any debts or expenses of mine or of my estate, including any share of estate taxes payable from this Trust or chargeable to my estate.

(b) No portion of the Accounts may be used to satisfy a gift to a beneficiary other than a qualified recipient.

(c) Upon the death of the beneficiary whose measuring life was used for calculating minimum required distributions after my death, further payments from the Accounts (including payments pursuant to the exercise of a power of appointment) may be made only to qualified recipients who are younger than that beneficiary, despite any other provision of this Trust. For example, if my husband is the measuring life for distributions after my death, at his death payments may not be made to anyone older than my husband (such as a sibling or parent of mine) unless there are no younger qualified recipients (such as a descendant of mine). For purposes of the distribution of any portion of the Accounts as specified under this Trust, any successor beneficiary who is older than the measuring life beneficiary will be deemed to have predeceased the measuring life beneficiary.

15.3 Notification by Trustee. If I have not provided a copy of this Trust, including relevant amendments, to any custodian of an Account, the Trustees shall provide the information required by the Treasury Regulations to allow a trust to qualify as described above, within the time frame specified in the Regulations.

15.4 Qualified Recipients. The term "qualified recipient" means an individual or a trust that is treated as a see-through (or conduit) trust so that its beneficiaries are recognized as designated beneficiaries under the Treasury Regulations. For purposes of determining the age of a qualified recipient, a see-through trust will be deemed to have the same age as its oldest beneficiary (excluding succeeding beneficiaries as specified in Treasury Regulations §1.401(a)(9)).

15.5 Separate Trust. For ease of administration, the Trustees may hold payments to a trust designated (or allowed) to receive distributions from the Accounts as

a separate trust, to be administered under the same terms as the larger trust entitled to those payments, subject to the special terms of this article.

ARTICLE 16
ADMINISTRATION AND CONSTRUCTION

16.1 Rules for Distributions. In making distributions to beneficiaries under this Trust, the Trustees must use the following criteria.

(a) Other Resources. Whenever the Trustees have the authority to decide how much to distribute to or for the benefit of a beneficiary, the Trustees should make decisions taking into account any information readily available to them about the beneficiary's other available income and resources (including any obligations owed to him or her by any person that are reasonably able to be discharged). The Trustees may rely on financial statements or tax returns from the beneficiary. The Trustees can make payments directly to a beneficiary or to other persons for the beneficiary's benefit, but they do not have to make payments to a court appointed guardian.

(b) Trustees' Decision. Absent clear and convincing evidence of bad faith, the Trustees' decisions as to amounts to be distributed will be final.

(c) Standard of Living. Distributions to a beneficiary for health, support, or maintenance are to be based on his or her standard of living, determined as of the date of the distribution.

(d) Unequal Distributions. For any trusts having multiple beneficiaries, distributions may be unequal among them due to differences in their resources, age, health, needs, educational inclinations, and talents. The Trustees may make unequal distributions to or for those beneficiaries without making equalizing adjustments among them, unless specifically provided to the contrary in this Trust.

16.2 Accumulated Income. Any income not distributed to the beneficiaries pursuant to either a mandatory direction or a discretionary power is to be incorporated into principal, at such intervals as the Trustees deem convenient.

16.3 Transactions With Other Entities. The Trustees may buy assets from other estates or trusts, or make loans to them, so that funds will be available to pay claims, taxes, and expenses. The Trustees can make those purchases or loans even if they serve as the fiduciary of that estate or trust, and on whatever terms and conditions the Trustees think are appropriate, except that the terms of any transaction must be commercially reasonable.

16.4 Coordination With Guardian. If a separate trust is created for a beneficiary who is under a legal disability, I direct the Trustees to consult with the guardian of the person for that beneficiary, or if none, the person having custody of the beneficiary, and to

- establish a reasonable budget to provide for the needs of the beneficiary;

- conduct a financial analysis of the beneficiary's needs and determine the amounts reasonably required for his or her care; and
- implement procedures for disbursing funds to the guardian for those purposes.

The Trustees are authorized to make distributions that provide some incidental or indirect benefit to the beneficiary's guardian, but only if the expenditure is for the primary benefit and needs of the beneficiary.

ARTICLE 17
APPLICABLE LAW; TRUST SITUS

All questions regarding the law to be applied or the appropriate situs of any trust will be governed by the terms of this article as follows:

17.1 Validity; Construction. All matters involving the validity, interpretation, construction, and meaning (or effect) of the Trust created under this instrument are to be governed by Florida law, which is currently my domicile.

17.2 Principal Place of Administration. All matters involving the administration of the Trust created under this instrument are to be governed by Florida law, which is currently my domicile and the initial principal place of administration (the "situs") of those trusts. The Trustees may change the principal place of administration of any trust as provided below.

17.3 Determining Situs. The Trustees will have a continuing duty to administer the Trust at a place appropriate to its purposes and its administration. In exercising this duty, the Trustees may wish to (but are not required to) consider the factors specified in Section 736.0108 of the Florida Statutes and the impact of a change to a different situs on the following: state and local taxes; compensation of fiduciaries; investment authority; duties, responsibilities, and liabilities of the Trustees; and any other factor appropriate to the new jurisdiction.

17.4 Transferring Situs. The Trustees, acting from time to time and without court approval, may transfer the situs of the Trust to any jurisdiction within the United States, subject to the notice requirements contained in Section 736.0108(6) of the Florida Statutes.

17.5 Substitute Trustees. If the Trustees are unable or unwilling to serve in the new trust situs, the Trustees may: designate substitute Trustees to act with respect to that property in the new situs; delegate to the substitute Trustees any or all of the powers given to the Trustees; elect to act as advisor to the substitute Trustees and receive reasonable compensation for that service; and remove any acting substitute Trustees and appoint another, or reappoint itself, if appropriate, at will.

17.8 Intent and Purpose. To reiterate, the overall goal of the Trust is to preserve and protect my husband and our family of non human persons through effective

use of our land and other assets, including my intellectual property rights. I have a Letter of Instruction to the Trustees which accompanies this Will which shall guide them in administering this Trust. My Letter of Instruction may change from time to time and it is my intent that the last dated Letter will reflect my wishes. All duties, rights and powers shall be administered, construed and interpreted with this intent and these purposes in mind, as expanded upon by the most recent Letter of Intent. At the death of my Husband, should he survive me, this Trust is intended to be and shall be construed as a trust under Section 736.0408 Florida Statutes.

ARTICLE 18
MISCELLANEOUS PROVISIONS

18.1 Definitions. As used in this Trust, the following terms have the meanings set forth below:

(a) Fiduciaries.

(1) **Independent Trustee** means a trustee of a particular trust, either individual or corporate, who is (i) designated as an Independent Trustee in this Trust or (ii) is not me or a beneficiary, and who is not a Related Person as to me or a beneficiary (if I participate in that person's appointment after the execution of this Trust or the beneficiary participates in that person's appointment at any time). For purposes of this definition a beneficiary is a person who is a permissible distributee of income or principal, or someone with an interest in the trust in excess of five percent (5%) of its value, assuming a maximum exercise of discretion in his or her favor. Whenever this Trust requires an action be taken by, or in the discretion of, an Independent Trustee but no such Trustee is then serving, a court may appoint an Independent Trustee to serve as an additional Trustee whose sole function and duty will be to exercise the specified power.

(2) **Corporate Trustee** means a trustee that is a bank, trust company, or other entity authorized to serve as a trustee under the laws of the United States or any state thereof.

(b) Internal Revenue Code Terms.

(1) **Internal Revenue Code** means the federal Internal Revenue Code of 1986, as amended from time to time, or successor provisions of future federal internal revenue laws.

(2) **Gross estate** means gross estate for federal estate tax purposes as defined in Section 2031 of the Internal Revenue Code.

(3) The terms **health, education, support, and maintenance** are intended to set forth an "ascertainable standard," as described in the Internal Revenue Code and its associated Regulations. To the extent not inconsistent with the foregoing, "health" means a beneficiary's physical and mental health, including but not limited to payments for examinations, surgical, dental, or other treatment, medication, counseling, hospitalization, and health insurance premiums.

(4) **Related Person** as to a particular individual is someone who is deemed to be "related or subordinate" to that individual under Section 672(c) of the Internal Revenue Code (as though that individual was a grantor).

(5) **Exempt Organization** means an organization contributions to which are deductible under Sections 2055 and 2522 of the Internal Revenue Code.

(c) Other Terms.

(1) **Residuary Trust Estate** means the Trust Estate (including assets added to the Trust by reason of my death) left after paying all pre-residuary gifts in this Trust and all expenses and charges (other than estate taxes).

(2) **Disabled** or **under a disability** means (i) being under the legal age of majority, (ii) having been adjudicated to be incapacitated, (iii) having been incarcerated for more than thirty consecutive days, (iv) being unaccountably absent for more than thirty days or being detained under duress, or (v) being unable to manage properly personal or financial affairs because of a mental or physical impairment (whether temporary or permanent in nature). A written certificate executed by an individual's attending physician confirming that person's impairment will be sufficient evidence of disability under item (v) above, and all persons may rely conclusively on such a certificate.

(3) Removal of a Trustee **for cause** includes, without limitation, the following: the willful or negligent mismanagement of the trust assets by that individual Trustee; the abuse or abandonment of, or inattention to, the

trust by that individual Trustee; a federal or state charge against that individual Trustee involving the commission of a felony or serious misdemeanor; an act of theft, dishonesty, fraud, embezzlement, or moral turpitude by that individual Trustee; or the use of narcotics or excessive use of alcohol by that individual Trustee.

(4) The words **will** and **shall** are used interchangeably in this Trust and mean, unless the context clearly indicates otherwise, that the Trustees must take the action indicated; as used in this Trust, the word **may** means that the Trustees have the discretionary authority to take the action but are not automatically required to do so.

18.2 Right to Information. During my lifetime and even if I am disabled, the Trustees shall provide me with any information I request concerning actions taken by the trustees and the operation of the Trust, including a full listing of its assets. Upon my death or disability, the Trustees shall provide such information, upon request, to the person then entitled to remove successor Trustees as specified in this instrument.

18.3 Notices. Any person entitled or required to give notice under this Trust shall exercise that power by a written instrument clearly setting forth the effective date of the action for which notice is being given. The instrument may be executed in counterparts. Notice of my exercise of any power under this Trust need be given only to the affected Trustees.

18.4 Certifications.

(a) From Personal Representatives. For some purposes, the Trustees are authorized to rely on a certificate from my Personal Representatives as to certain facts. That certificate must be in writing and witnessed by two impartial persons, but need not be notarized. It is to be delivered to the Trustees in the same fashion as provided for other notices.

(b) Facts. A certificate signed and acknowledged by the Trustees stating any fact affecting the Trust Estate or the trust agreement will be conclusive evidence of such fact in favor of any transfer agent and any other person dealing in good faith with the Trustees. The Trustees may rely on a certificate signed and acknowledged by any beneficiary stating any fact concerning the Trust beneficiaries, including dates of birth, relationships, or marital status, unless an individual serving as Trustee has actual knowledge that the stated fact is false. Knowledge of all other facts will be determined as provided in Section 736.0104 of the Florida Statutes.

(c) Copy. Any person may rely on a copy of this instrument (in whole or in part) certified to be a true copy by me; by any person specifically named as a Trustee (or successor Trustee); by any Corporate Trustee whether or not specifically named; or, if there are none of the above, by any then serving Trustee.

18.5 Dispute Resolution. If there is a dispute or controversy of any nature involving the construction, meaning, or effect of this Trust or any trust created under it, or the disposition or administration of any such trust, then unless all parties in interest who are not disabled waive this section, I direct the disputing parties to agree on a manner of alternative dispute resolution. If there is no such agreement, the disputing parties shall submit the matter to mediation. If any party rejects mediation or refuses to participate in good faith, or if all issues are not resolved by mediation or the other form of resolution agreed upon, I authorize the court having jurisdiction over the subject trust to award costs and attorney's fees from that party's beneficial share or from other amounts payable to that party (including amounts payable to that party as compensation for service as fiduciary) as in chancery actions.

18.6 Gender and Number. Reference in this Trust to any gender includes either masculine or feminine, as appropriate, and reference to any number includes both singular and plural where the context permits or requires.

18.7 Headings. Use of descriptive titles for articles and paragraphs is for the purpose of convenience only and is not intended to restrict the application of those provisions.

18.8 Further Instruments. I agree to execute such further instruments as may be necessary to vest the Trustees with full legal title to the property transferred to this Trust.

18.9 Acknowledgments. Acknowledgments of this trust agreement and matters affecting the administration of the Trust may be given for purposes of recording such instruments, but the absence of an acknowledgment does not affect the validity of those instruments.

18.10 Binding Effect. This trust agreement extends to and is binding upon my Personal Representatives, successors, and assigns, and upon the Trustees.

Executed as of the effective date written above.

GRANTOR and TRUSTEE

SuZi

This instrument was signed, sealed, published, and declared by the Grantor as her Trust Agreement in our joint presence, and at her request we have signed our names as attesting witnesses in her presence and in the presence of each other on the date first written above.

Name	Address
Steven Lockhart	6174 SE 105th Pl
Sterrin Lockhart Witness - Print Name	Belleview FL 34420
T. Hailey	20941 Sunridge Rd
Tyler Hailey Witness - Print Name	Groveland FL 34736

STATE OF FLORIDA
COUNTY OF MARION

I, SuZi, declare to the officer taking my acknowledgment of this instrument, and to the subscribing witnesses, that I signed this instrument as my Trust Agreement.

SuZi
xSuZi xSuZi00

We, Sterrin Lockhart and Tyler Hailey, have been sworn by the officer signing below, and declare to that officer on our oaths that the Grantor declared the instrument to be her Trust Agreement and signed it in our presence, and that we each signed the instrument as a witness in the presence of the Grantor and of each other.

Witness

Witness

Acknowledged and subscribed before me by the Grantor, SuZi, by means of [ ] physical presence or [ ] online notarization and who [ ] is personally known to me or [ ] has produced _____ as identification, and sworn to and subscribed before me by the witnesses, Sterrin Lockhart, who is personally known to me or who has produced _____ as identification, and by Tyler Hailey, who is personally known to me or who has produced _____ as identification, and subscribed by me in the presence of the Grantor and the subscribing witnesses, all on Sept. 19, 2020.

Notary Public, State of Florida
(Stamp Name, Commission # and Expiration below)

RUBY G. BEARD
Notary Public - State of Florida
Commission # GG 3[illegible]4769
My Comm. Expires Mar 2[illegible], 2023
Bonded through National Notary Assn.

Trust of Clifford Elton Mynes and of Su Zi

(aka None SuZi ([Fl DMV], Unknown Suzi [SSA], xsuzi00 [Instagram and Etsy])

Prime Directive: Correct Feeding and Care of my horses, correct feeding and care of other nonhuman dependents—including cats, dogs, turtles, birds and wild visitors

Secondary Directive: Ultimate Protocols for Management of Assets: Financial, Intellectual Properties, Physical Collections and Real Estate.

Declaration(s): The Northern Trust is in charge of SuZi's financial affairs immediately upon her death. All other financial holdings are to be transferred to Su Zi's account(s) at the Northern Trust Bank of Chicago. This includes, but is not limited to all accounts held by Wells Fargo, and various retirement funds held by FRS and TIAACref, SSA et c. The Northern Trust (the Northern) will pay SuZi's debts-at-death, assume full legal ownership of all physical property(I have what I call Collections—noted below), and supervise Su Zi's affairs.

If I, (Su Zi) predecease my husband, Clifford, the Northern and Clifford will negotiate and report to each other all concerns related to SuZi, including, but limited to, reports from the team (enumerated below) of equine professionals in whose care my horses have familiarity.

Additionally, all dispersals of SuZi's various properties (intellectual, physical, the house and land, hopefully noted below) will be by documented communication between Clifford and the Northern not to exceed 30 days between contact.

Val Vlazny, or his appointee, is to supervise all concerns regarding correct execution this trust.

It must be stated that, unless specified directly below, no kith or kin of either of us is to have any claim on any of our holdings—financial, physical, intellectual or any which way. They had their chance.

Equine

The horses see regular care from a team of equine professionals (noted below), in whose regular care they are to remain for the duration of their lives. If a unanimous decision is reached requiring end of life for each of my horses, they are to be gently and lovingly brought to cross over and buried next to Fancy (the south paddock). Dr Barret thinks he has a kindly way, so ask him.

Equine Professionals:

The general practitioner for all horses is Dr Eric Evans of Peterson and Smith.

The Pony(***KoTa***, triple registered as DaKoTaKRoMe) is under the care of Dr Brent Barrett and Dr Huiseng Xie (Chi Institute) . Additionally, Dr Andria Cogswell is a regular practitioner. His trainer is Audrey Kitchens (Double K Stables).

Sonny and ***EllieMae*** are under direct care of Eric Evans and of Smokey (Mike) Blankenship (Smoky B Horseshoeing) and of that of John Hunter. Both horses are also familiar with Audrey, and she is to be consulted regarding their well-being.

All horses are to have their regularly scheduled wellness visits (farrier, acupuncture, et c) without interruption.

All horses are to remain on their feed schedule. I have charge accounts with Seminole Feed for gain and with Barretini Feed for hay.

To wit: the **Pony** gets 3 (three) ounces of Seminole Equalizer and Perform Safe(1:2, 2x), Chinese herbs as prescribed, and supplements, and eats only timothy hay and grass. **EllieMae** and **Sonny** get a combination of Seminole Dynasport and Wellness or Seminole senior, Ultra Bloom and supplements, 2x, or about 5 (five) pounds each, alfalfa hay, and soaked alfalfa cubes and/or beat pulp .

There's a feed schedule posted in the feed shed.

Additional personnel: both Clifford and Sterrin Lockhart are familiar with the horsefeeding requirements and procedures. Audrey and John Hunter are also qualified to feed. I had hired Paula of Pawsitively Paula to feed a few times as well. **No Strangers.**

NOTE : I am utterly unconcerned with resale value of my home and its gardens and lands.—dispersal of it, if ever necessary is noted below.

Equine Related Property: there's a trailer and truck in case, but the horses really ought to stay here.

There are five carriages, of which the Studebaker is insured with Hagerty for about $15K (fifteen thousand dollars). The carriage market vacillates, and there *ought to be no hurry* to disperse my collection. There are also two American road carts, the Houghton training cart, and the Hardwick marathon puddle jumper. Specialized sales of these is correct, as well as that of the harnesses. Enough tack and barn supplies will be kept on hand for proper care of the living horses. The various saddles and bridles will be eventually sold through specialized markets. All proceeds are to go toward care of the horses. After that, to this trust.

The physical property ought to remain in equine conservation, and in wildlife easement—as I have dedicated a good bit of my life force and resources to establish it as such.

Other Dependents: There are cats, a dog, turtles, fish and birds who rely on Clifford and I for food, comfort, medical care and companionship. They ought not to be rehomed or distressed. If both Clifford and SuZi are deceased, and the horses are deceased (so that there's no minimum twice daily care), and all the equine vets concur necessity, they are to be lovingly and kindly escorted to the cross-over. I have a pet cemetery.

Once again—ultimate resale of the house and real estate it is on is not a concern. See below.

Intellectual Property : I have told Clifford *to publish everything* and I mean it. I have publications already and The Northern Trust is to assume all copyright. If there's ever any royalties, these are to go to an account at the Northern for that purpose. Eventually, everything will.

I have full and complete, as well as partial manuscripts on a variety of electronic devices(There are two books on the HP desktop, at least, another on the Samsung tablet, there's an old laptop, et c.). Do what it takes and get them out as books.

I have libraries that have me in their collections: Radcliffe—Schlesinger has some of the book series I publish, and some of my own work, and this is also true for The University of Chicago Special collections—because of their past support, they can chose among my personal literary papers, journals et c for their archives. Poet's House in NYC seems to like me now too. These collections are to get copies of all my posthumous publications .If they acquire my work, copyright is shared between them and This Trust After that, whatever is left, please put it in a safety deposit box, and periodically investigate appropriate collections—though I don't know why that would be necessary, but...

High Value Physical Objects

We have *vehicles.* Of these, three are insured as collectible with Hagerty: the aforementioned Studebaker, my Pontiac and *Clifford's Buick.* Clifford's Sister, Evelyn Mynes(Kentucky), inherits the Buick.

My Pontiac—a restored 1967 Pontiac GTO—goes to an automotive or other museum; it is not to be driven, but can be started.

Other vehicles, the tractor and golf carts, my 150 and his titan, are probably more useful staying as tools of the homestead. If Clifford outlives me, he can do what he wants with them, except the diesel cuz it pulls the horse trailer—keep it running, please.

I have gone to great lengths sometimes, and a whole lot of care to collect a *personal library*. Some individual volumes are collector's items in an of themselves; some of the collection is valuable as a collection in that genre (the poetry, rare books). The aforementioned special collections may want those, preferably as a whole. At one point, when I was around a thousand volumes, I had a catalogue. I don't know if Marc Shawiak kept a copy, because he helped me type it—there might even be a file of it at the northern somewhere. Please isolate and note the rare volumes: these are to be sold through appropriate rare book specialists. I cared very much about my books, and never stopped adding volumes. The collection is specialized into poetry, fiction, equine, art, and some other interests. Try to keep the collections whole as you disburse them. I loved them so. Whatever funds made go to this trust.

We also have some *household antiques*. When the market for these is viable enough, funds from their dispersal also go to This Trust.

Eventually, all funds will go to this trust. **The Mission of this Trust is to safeguard Su Zi** and those concerns enumerated here to which she has dedicated her life.

Art I made art. Whatever of it Clifford wants, he can have; whatever of my art Clifford has kept (if I predecease him), his sister can have. Everything else can be disbursed through professional art sales , with The Northern acting in my stead, and final resultant funds to This Trust. I did okay with sales, considering that I never had formal representation. I was very serious about my art, but art is much harder to place in archive than books. If you think you can get my art into archive, then do it.

A note here about Clifford: since he has dedicated his life into this house, and if a decision needs to be made about his assets, unless otherwise noted, he probably wants his assets to go to his house, its maintenance. Clifford has a full shop, with tools, and a tool shed. If these are no longer necessary to keep the horses happy and the house standing (if we are both dead), Evelyn and This Trust can make final decisions there.

The Physical Property

As stated, neither Clifford or myself have direct heirs, but the horses, the cats, dog and other nonhuman persons are really heirs with handicaps regarding their self-care. Thus, all focus is to be on their well being as described here in this arduous document.

If come a time, when all my children and my husband and I are dead, the house and lands are to be considered for dispersal from This Trust, with the following admonition: Equine and Bird conservation easements are kept perpetual.

I had thought that the house would be a good place for a subsidized intern for the Chi institute or Peterson Smith, with long term equine rescue or recovery in the paddocks. I also , by means of landscape design , bird feeders and a hundred pounds a week or cracked corn, have created a wildlife friendly, recognized wild

bird migratory stop, with some local avian residents coming by all the time, and a flock of poultry of my own. The property has little left on the mortgage, so a co-existence with a resident in the house and performing assigned duties would be beneficial, as the taxes are within realm and reach of this Trust.

Nonetheless(and with compromises outlined below), it may be necessary for This Trust --after We, The Residents are dead and only then—needs to no longer maintain supervision of this physical entity. As stated, there are compromises to the resale value, and I really don't care—I would prefer that the house become a satellite of an organization concerned with equine or avian welfare, a organization concerned with wild life or rewilding, conservation, a forestry or park office. I really don't want human children in my house. I would rather the land go wild than have another family in the house Clifford built for me.

End of Life and Burial

I want to die at home.

If I am real sick for awhile, pain medication, antibiotics, and whatever medications are minimally necessary. I suppose I would not mind a tank of oxygen, if I needed it.

I have been known to swoon. When I do, I dream very lucidly about this other world, and all my efforts there are about getting back from that world to this one. Please make sure I am good and gone all the way before you decide that it's convenient that I am.

Since I am writing this during the Corona Virus Stay In Place order, hospitalization is a remote possibility anyway. I don't like to be touched by strangers. I am a multiple assault survivor, and I don't like to be touched by strangers. I think it's awful that I might be dead but people get to touch me: No, nope. Only Clifford.

After I am good and dead, really obviously dead, I insist on Green Burial on my property. If I cannot be planted by my horses, there's the roundpen area and the per cemetery. Please spell my name correctly on the marker.

Yes, this will impact property value—do it anyway.

Clifford is remarkably reticent by nature anyway, and has only said that he doesn't want a funeral or pomp and ceremony. It seems reasonable to also request Green Burial on the property, although he once said he was amenable to cremation. Evelyn can decide, if I am unable.

Miscellaneous Aftereffects.

I really don't want an estate sale with random strangers walking through my house and pawing my things. I collected some vintage clothes and other lady things—auction them gone off property. Whatever favorite charities I had are moot by now—everything is to go ultimately to This Trust.

Perpetuation

Once the Prime Directive and other directives here are completed, My hope is that This Trust will see its ultimate and final task: supervision of my intellectual property into whatever is the future. As stated, all royalties or other income is to go to This Trust. I really want to stay in print. Do that for me, won't you.

S. Z I

19 September 2020 CE

Clifford E. Myres

Clifford E. Myres

Steven Lockhart

Steven Lockhart

Tyler Hailey

Tyler Hailey

Signed & Sworn before me by physical appearance on September 19, 2020.

Ruby G. Beard

RUBY G. BEARD
Notary Public - State of Florida
Commission # GG 314769
My Comm. Expires Mar 21, 2023
Bonded through National Notary Assn.

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19933 **Agenda Date:** 7/28/2025 **Agenda No.:** 1.5.

SUBJECT:
250806ZC - Brandon and Ashley Winter, Zoning Change from Single-Family Dwelling (R-1) Portion of the Property to Mixed Residential (R-4), ±0.65 Acre Portion of a ±0.93 Acre Parcel, Parcel Account Number 4988-001-001, No Address Assigned

DESCRIPTION/BACKGROUND:
Brandon and Ashley Winter have applied to rezone a 0.65-acre portion of a 0.93-acre property along SE 162nd Place in Weirsdale, FL from Single-Family Dwelling (R-1) to Mixed Residential (R-4), pursuant to the provisions of Land Development Code (LDC) Division 2.7 - Zoning and LDC Section 4.2. The subject property has a Medium Residential (MR) and High Residential (HR) land use designation and is situated outside the Urban Growth Boundary (UGB) and in the County's Environmental Sensitive Overlay Zone (ESOZ) and Secondary Springs Protection Overlay Zone (SSPOZ). The intention of the zoning change is to construct a manufactured home.

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

P&Z Date: 7/28/2025	**BCC Date: 8/18/2025**
Case Number	250806ZC
CDP-AR	32800
Type of Case	**Rezoning** portion from Single-Family Dwelling (R-1) to Mixed Residential (R-4).
Owner	Brandon Winter & Ashley Winter
Applicant	N/A
Street Address/Site Location	No address assigned
Parcel Number(s)	4988-001-001
Property Size	±0.93 AC
Future Land Use	Medium Residential (MR) & High Residential (HR)
Existing Zoning Classification	Single-Family Dwelling (R-1) & Mixed Residential (R-4)
Overlays Zones/Special Areas	Environmentally Sensitive Overlay Zone (ESOZ) & Secondary Springs Protection Zone (SSPZ)
Staff Recommendation	**APPROVAL**
P&Z Recommendation	**TBD**
Project Planner	Jared Rivera-Cayetano
Related Cases	None

I. ITEM SUMMARY

Brandon & Ashley Winter filed a rezoning application to change a portion of a ±0.93-acre property from Single-Family Dwelling (R-1) to Mixed Residential (R-4). The Parcel Identification Number for the subject property is 4988-001-001; the site has not been assigned an address. Located within the Star Land subdivision, the legal descriptions are provided within the rezoning application (see Attachment A). The site is located within an Environmentally Sensitive Overlay Zone (ESOZ) and within the Secondary Springs Protection Zone (PSPZ). The site is located outside the Urban Growth Boundary (UGB). The intention of this zoning change is to construct a manufactured home. The applicant plans to construct within the section of the property currently zoned R-1. A section of the property is currently zoned for R-4; however, this section is relatively narrow for a residential unit, considering requirements such as setbacks. An R-4 zoning classification across the entire property would ultimately allow a type of residential structure that is compatible with the surrounding area. The applicant does not currently plan to construct any other structure on this property.

Figure 1
General Location Map

II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning application. Staff finds Mixed Residential (R-4) zoning would allow a type of structure that is compatible with the surrounding area.

The applicant proposes a density consistent with the Future Land Use (FLU) designation of Medium Residential (MR). Approving this request would ultimately give the property a zoning classification that will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with land uses in the surrounding area.

III. NOTICE OF PUBLIC HEARING

Consistent with Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (28 owners) within 300 feet of the subject property on July 11, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on July 18, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on July 14, 2025. 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, no letters of opposition or support have been received.

IV. ANALYSIS

LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and that it is compatible with land uses in the surrounding area. Staff's analysis of compliance with these three criteria are addressed below.

A. *Compatibility with Surrounding Area*

"Compatibility" is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." Figure 1, above, is a general location aerial displaying existing and surrounding site conditions.

Figure 2, below, displays shows the location of nearby subdivisions. Part of Star Land subdivision, the subject property has an irregular shape. The Benja Ranchette subdivision is located directly southeast of the subject property. The Star Land and Benja Ranchette subdivisions are surrounded by the much larger Revised South Lake Weir subdivision. Several of the rights-of-ways produced by the Revised South Lake Weir subdivision are vacant with heavy vegetation, as well as no established roads

Figure 2
Existing Subdivisions

Figure 3, below, shows the Future Land Use (FLU) designation of the subject property, designated as Medium Residential (MR) and High Residential (HR). Notably, the latter aligns with the boundaries of the Star Land subdivision. The surrounding properties are all within an Environmentally Sensitive Overlay Zone (ESOZ) and within the Secondary Springs Protection Overlay Zone (SSPOZ). All properties are outside the Urban Growth Boundary (UGB).

Figure 3
FLUMS Designation

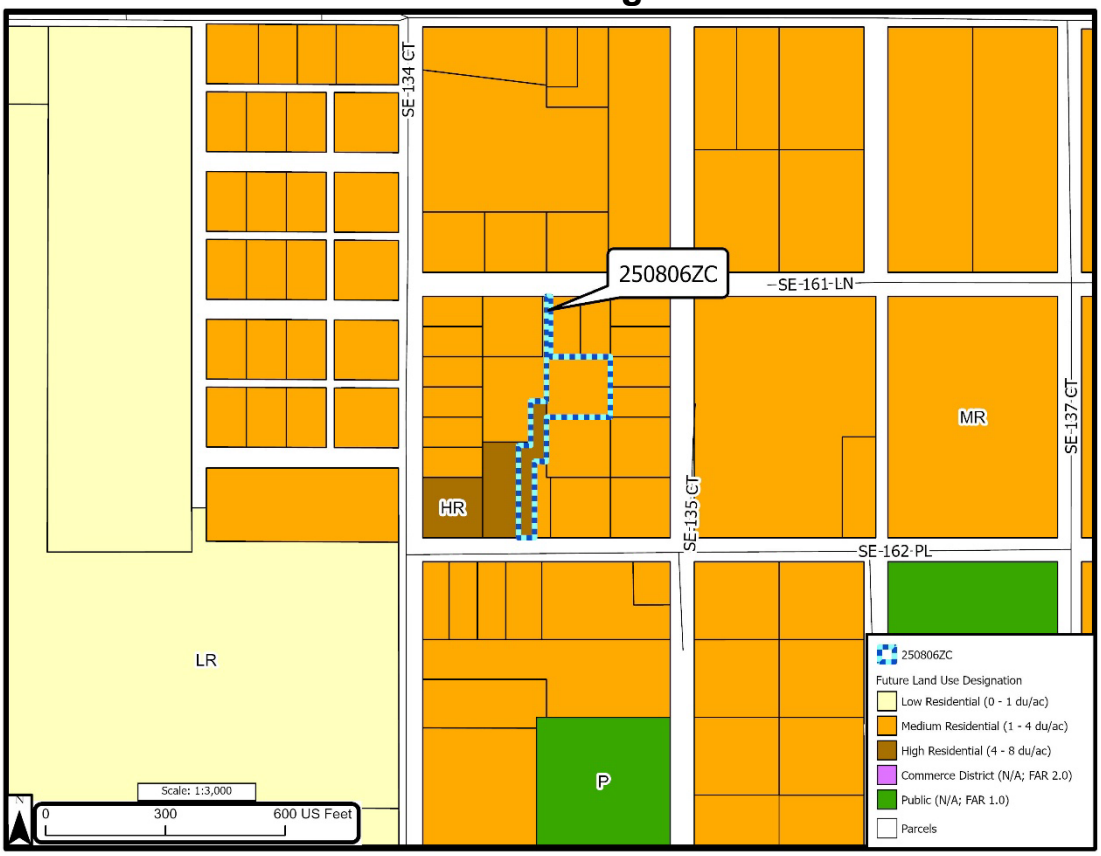


Figure 4, below, displays the existing zoning classifications for the subject properties in relation to the existing zoning classifications of the surrounding properties, and Figure 5 shows the zoning classification proposed by the applicant.

In general, the subject property's North, West, East, and South—whether in the Star Land, Benja Ranchette, or Revised South Lake Weir subdivisions—are all zoned for residential uses. Notably, however, High Residential (HR) zoning aligns with the boundaries of the Star Land subdivision.

Figure 4
Zoning Classification

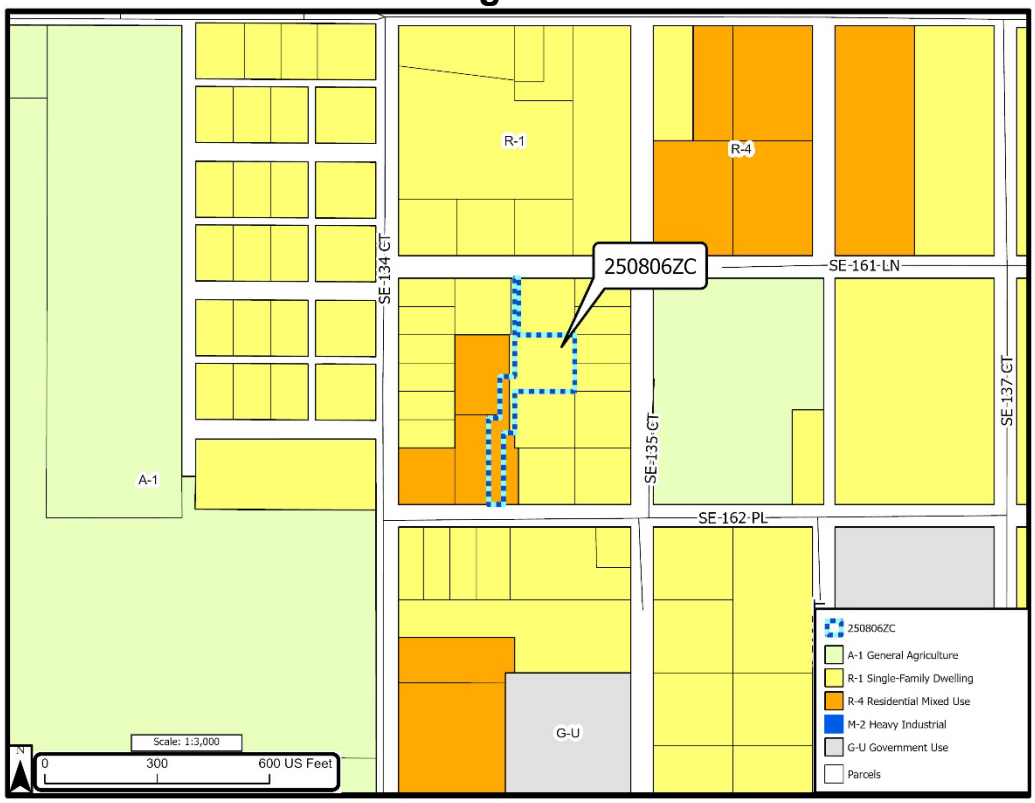


Figure 5.
Proposed Zoning Classification

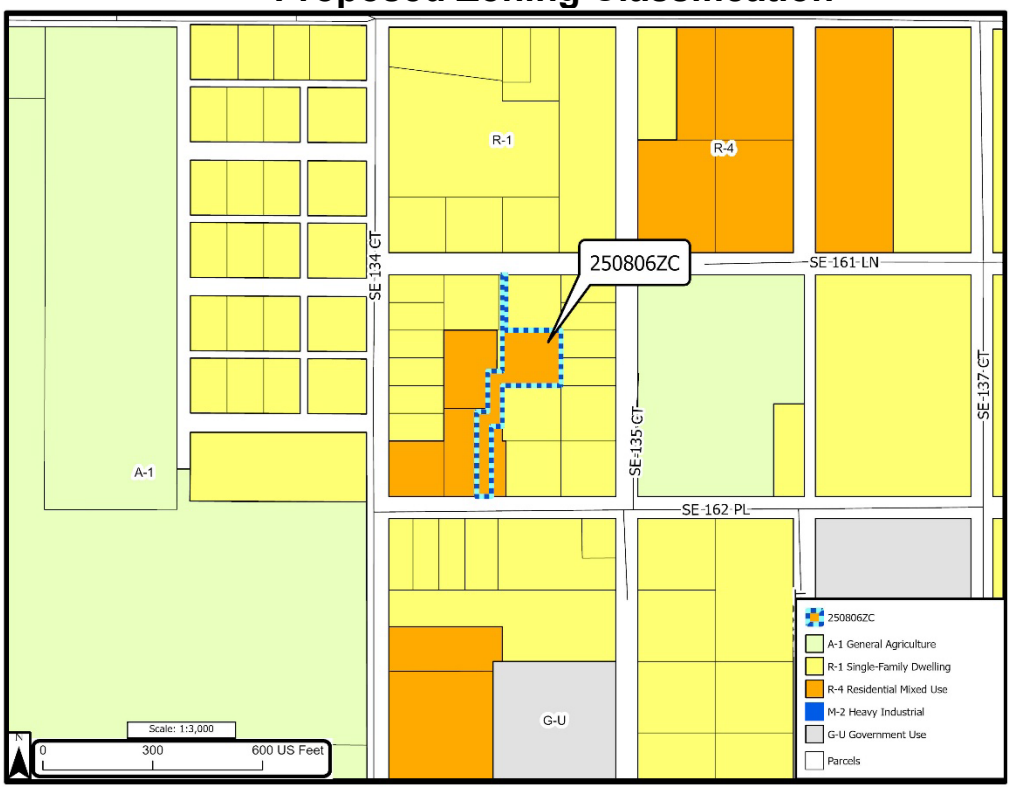


Figure 6, below, displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

Figure 6.
Existing Use per Property Appraiser Property Code

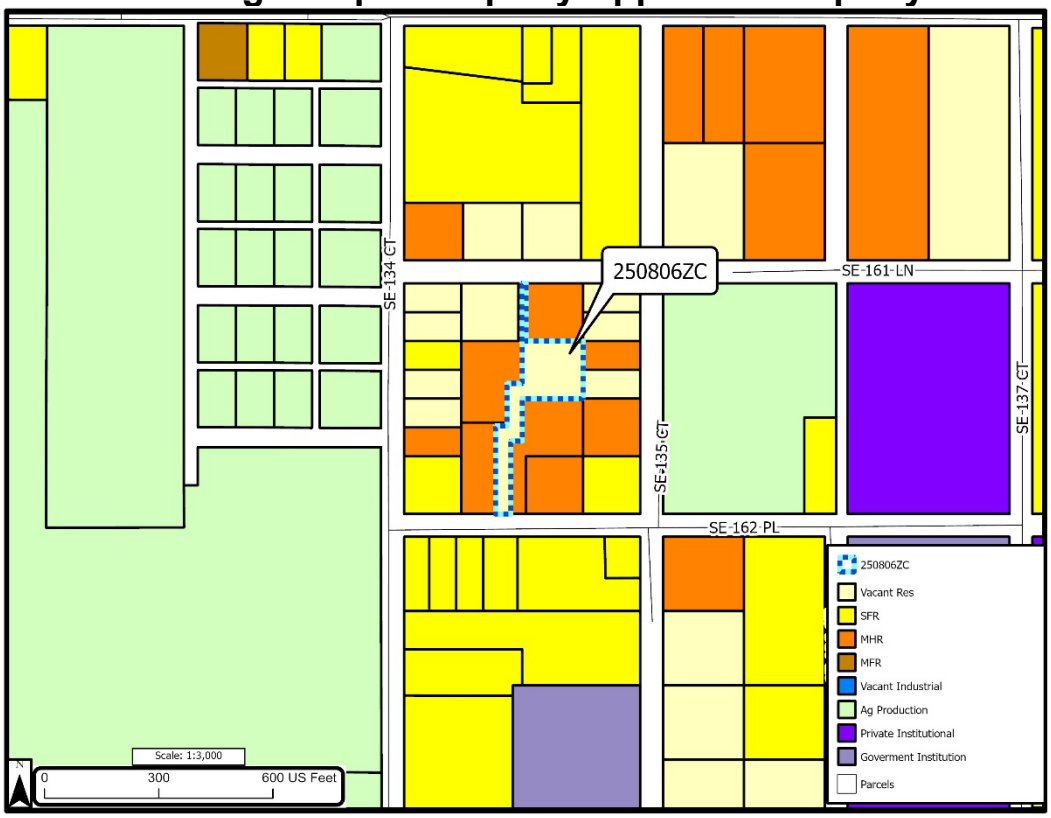


Table A, below, assembles the information in Figures 3, 4, 5, and 6 in tabular form. In general, the area directly adjacent to the subject property is residential. Specifically, properties sitting directly to the North, West, and East of the subject property are characterized by mobile home residential, with some parcels characterized as vacant residential. Parcels to the South of the subject property are single-family residential. There are several large property characterized by agricultural production along SE 134th Court, located to the west of the South Lake Weir subdivision.

Consistent with LDC Section 2.7.3.D, staff conducted a site visit on July 18, 2025 and found that the subject property contains thick vegetation on the frontage along SE 162nd Place, approximately forty (40) feet in width. A dirt road to the east of the subject property (PID 4985-021-000) is used for access. This dirt road is also used by another property directly to the south of the subject property for access (PID 4985-023-000). The property itself is currently vacant, with several trees and other vegetations present on-site. Site photos are attached to this report (see Attachment C).

TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	**FLUM Designation**	**Zoning Classification**	**MCPA Existing Use**
Subject Property	Medium Residential (MR) & High Residential (HR)	Single-Family Dwelling (R-1) & Mixed Residential (R-4)	Vacant Residential
North	Medium Residential (MR) & High Residential (HR)	Single-Family Dwelling (R-1) & Mixed Residential (R-4)	Mobile Home Residential & Vacant Residential
South	Right-of-Way & Medium Residential (MR)	Right-of-Way & Single-Family Dwelling (R-1)	Single Family Residential
East	Medium Residential (MR)	Single-Family Dwelling (R-1) & Mixed Residential (R-4)	Mobile Home Residential & Vacant Residential
West	Medium Residential (MR) & High Residential (HR)	Single-Family Dwelling (R-1) & Mixed Residential (R-4)	Mobile Home Residential

Based on the above findings, the proposed rezoning application is **compatible** with the existing and future surrounding land uses.

B. Effect on Public Interest

1. Transportation impacts. These include roadways, public transit, and other mobility features. No concerns were indicated by the Office of the County Engineer.

   a. Roadways. The subject parcel is located along SE 162nd Place, a local subdivision road maintained by Marion County. Realistically, both the current and proposed zoning would allow up to two (2) dwelling units, along with its associated trips. The current R-1 zoning would allow up to a single residential unit and a single guest home, while the proposed R-4 zoning would allow up to a two-family residential structure. The applicant, however, has indicated to construct, at most, a single manufactured home in the subject property.

   b. Public transit. There are no fixed route services in the area.

   c. Other mobility features. Sidewalks currently exist along SE 162nd Place.

Based on the above findings, the transportation impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

Zoning	Units	Trip Rate (per unit)	Estimated Daily Trips
Existing: Single-Family Dwelling (R-1)	1 dwelling unit + 1 guest home	9.44 trips/day (ITE code 210) x 2	± 20 trips/day
Proposed: Mixed Residential (R-4)	2 dwelling units	9.44 trips/day (ITE code 210) x 2	± 20 trips/day

Source: ITE Trip Generation Manual, 10th Edition, LU Code 210-Single Family Detached Housing

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of approximately 150 gallons per person per day for residential demand and 2,750 gallons per acre per day for non-residential demand. Since a single manufactured home is proposed at this time, the proposed rezoning would result in a potential demand of 600 gallons per day, assuming four-person household.

   The property is within the Marion County service area and is currently within connection distance. Any new development will be required to connect to the County water system. Due to the irregular shape of the lot, longer-than-usual lines may be required for a potential residential unit, to be determined during the permit review process. Based on the above findings, if approved, the potable water impacts of the rezoning request **would not adversely affect the public interest.**

3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of approximately 110 gallons per person per day for residential demand and 2,000 gallons per acre per day for commercial and industrial demand. Given that a single manufactured home is proposed at this time, the proposed rezoning would result in a potential demand of 440 gallons per day, assuming four-person household.

   The property is outside connection distance. Any new development shall meet County wastewater standards, including for septic tanks, at the time of permit review. Based on the above findings, if approved, the wastewater impacts of the rezoning request **would not adversely affect the public interest.**

4. Solid waste impacts. SWE Policy 1.1.1 provides "The LOS standard for waste disposal shall be 6.2 pounds of solid waste generation per person per day. Given that a single manufactured home is proposed at this time, the proposed rezoning would generate about 24.8 pounds of solid waste per day, assuming four-person household. In comparison, any non-

residential use would likely generate more total waste. Based on the above, the solid waste impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

5. Recreation. Recreation Element Policy 1.1.1 adopts a level of service standard of two (2) acres per 1,000 persons. Given that a single manufactured home is proposed at this time, the recreation impacts of the rezoning request **would not adversely affect** the public interest**.**

6. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site is indicated to be entirely within FEMA flood zone X. Any development of the site that undergoes Marion County's formal site review processes will be required to comply with a 100-year frequency 24-hour duration design storm. If the proposed impervious coverage exceeds 9,000 SF, the site would be subject to the Major Site Plan review process. Based on the above, the stormwater/drainage impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

7. Fire rescue/emergency services. The Weirsdale Fire Station #16, located at 16355 S Hwy 25, Weirsdale, FL 32195 is less than a mile (by automobile) southeast of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Staff has established a 5-mile drive time from the subject property as evidence of the availability of such services. Based on the above, the fire rescue/emergency impacts of the rezoning request, if approved, **would not adversely affect the public interest**.

8. Law enforcement. The nearest Sherriff substation is located roughly 5 miles (by automobile) northeast of the subject property at 13985 SE Hwy 25, Ocklawaha, FL 32179. The Comprehensive Plan does not establish a level of service standard for law enforcement services; however, staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, the law enforcement impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

9. Public schools. The applicant has indicated that if the proposed zoning change is approved, only a single manufactured home would be built. Therefore, the public schools impacts of the rezoning request, if approved, **would not adversely affect the public interest**.

When weighing the totality of the circumstances, **the public interest will not be adversely affected** if this rezoning request is approved.

C. *Consistency with the Comprehensive Plan*

1. **Policy 2.1.8** on Medium Residential (MR) provides, “This land use designation is intended to recognize areas suited for primarily single-family residential units within the UGB, PSAs and Urban Area. However, the designation allows for multifamily residential units in certain existing developments along the outer edges of the UGB or Urban Area. The density range shall be from one (1) dwelling unit per one (1) gross acre to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.”

   Analysis: The subject site is designated as Medium Residential (MR) and the applicant indicates plans for a single manufactured home within a ±0.93-acre property, thereby maintaining a density greater than one (1) dwelling unit per one (1) acre. This use thus aligns with the intent of the Medium Residential use and is consistent with Policy 2.1.8.

2. FLUE 3.1.5 on Urban Areas outside of UGB provides, "The County shall maintain existing Future Land Use designations that have been previously adopted that are outside of the UGB to recognize vested development rights. Any expansion or creation of new Urban Areas outside the UGB shall require a Comprehensive Plan Amendment, analysis to demonstrate the potential need for the creation of such new Urban Areas, and other appropriate documentation in accordance with Policy 3.1.3. It shall not be necessary to modify the UGB to expand or create Urban Areas outside the UGB unless the expansion or creation of new urban area is within the FPA.”

   Analysis: Part of Star Land subdivision and surrounded by the revised South Lake Weir subdivision, most of the subject property has a Future Land Use (FLU) designation of Medium Residential (MR). The applicant indicates plans for a single manufactured home within a ±0.93-acre property, thereby maintaining a density as required by the subject site’s Medium Residential (MR) designation. The applicant therefore maintains the intention of an urban Future Land Use (FLU) designation that had been previously adopted outside of the UGB. No expansion or creation of an Urban Area will be required in this rezoning case. Therefore, this rezoning request meets the criteria above and is **consistent** with FLUE Policy 3.1.5.

3. FLUE Policy 5.1.3 on Planning and Zoning Commission provides, "The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

   Analysis: The proposed zoning change is scheduled for consideration on July 28, 2025 by the Planning and Zoning Commission. Therefore, the application is **consistent** with FLUE Policy 5.1.3.

4. FLUE Policy 5.1.4 on Notice of Hearing provides, “The County shall provide notice consistent with Florida Statutes and as further defined in the LDC.”

   Analysis: Public notice has been provided as required by the LDC and Florida Statutes and, therefore, the application is being processed **consistent** with FLUE Policy 5.1.4.

Based on the above findings, granting the proposed rezoning request **is consistent with the Comprehensive Plan**.

V. ALTERNATIVE ACTIONS

A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **DENY** the rezoning amendment.

B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VI. STAFF RECOMMENDATION

Staff recommends the Planning & Zoning (P&Z) Commission enter into the record the Staff Report, and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **APPROVE** the proposed rezoning because approving the application:

A. Will not adversely affect the public interest;

B. Is consistent with the Comprehensive Plan provisions because it is in conformance with FLUE Policies 2.1.8, 3.1.5, 5.1.3, and 5.1.4;

   and

C. Is compatible with the surrounding uses.

VII. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined. Scheduled for July 28, 2025 at 5:30 PM.

VIII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined. Scheduled for August 18, 2025 at 1:30 PM.

IX. LIST OF ATTACHMENTS

A. Application
B. DRC Comments Letter
C. Site Photos

Marion County
Board of County Commissioners
Growth Services ◆ Planning & Zoning
2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601
www.marioncountyfl.org

APPLICATION FOR REZONING

Application No.: _____

The undersigned hereby requests a zoning change of the Marion County Land Development Code, Article Five, Zoning, on the below described property and area, from R1 to R4, for the intended use of:

Placing a manufactured home

Legal description: (please attach a copy of the deed and location map)

Parcel account number(s): 4988-001-001

Property dimensions: _____ **Total acreage:** .93

Directions: _____

The property owner must sign this application unless he has attached written authorization naming an agent to act on his/her behalf.

Brandon & Ashley Winter
Property owner name (please print)
36100 Hickory St
Mailing address
Fruitland Park FL 34731
City, state, zip code
352-396-7394
Phone number (please include area code)
awinte307@yahoo.com
Email Address
Signature

Brandon & Ashley Winter
Applicant or agent name (please print)
36100 Hickory St
Mailing address
Fruitland Park FL 34731
City, state, zip code
352-396-7394
Phone number (please include area code)
awinte307@yahoo.com
Email Address
Signature

Please note: the zoning change will not become effective until 14 days after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is $1,000, and is non-refundable. For more information, please contact the Zoning Division at 352-438-2675.

****

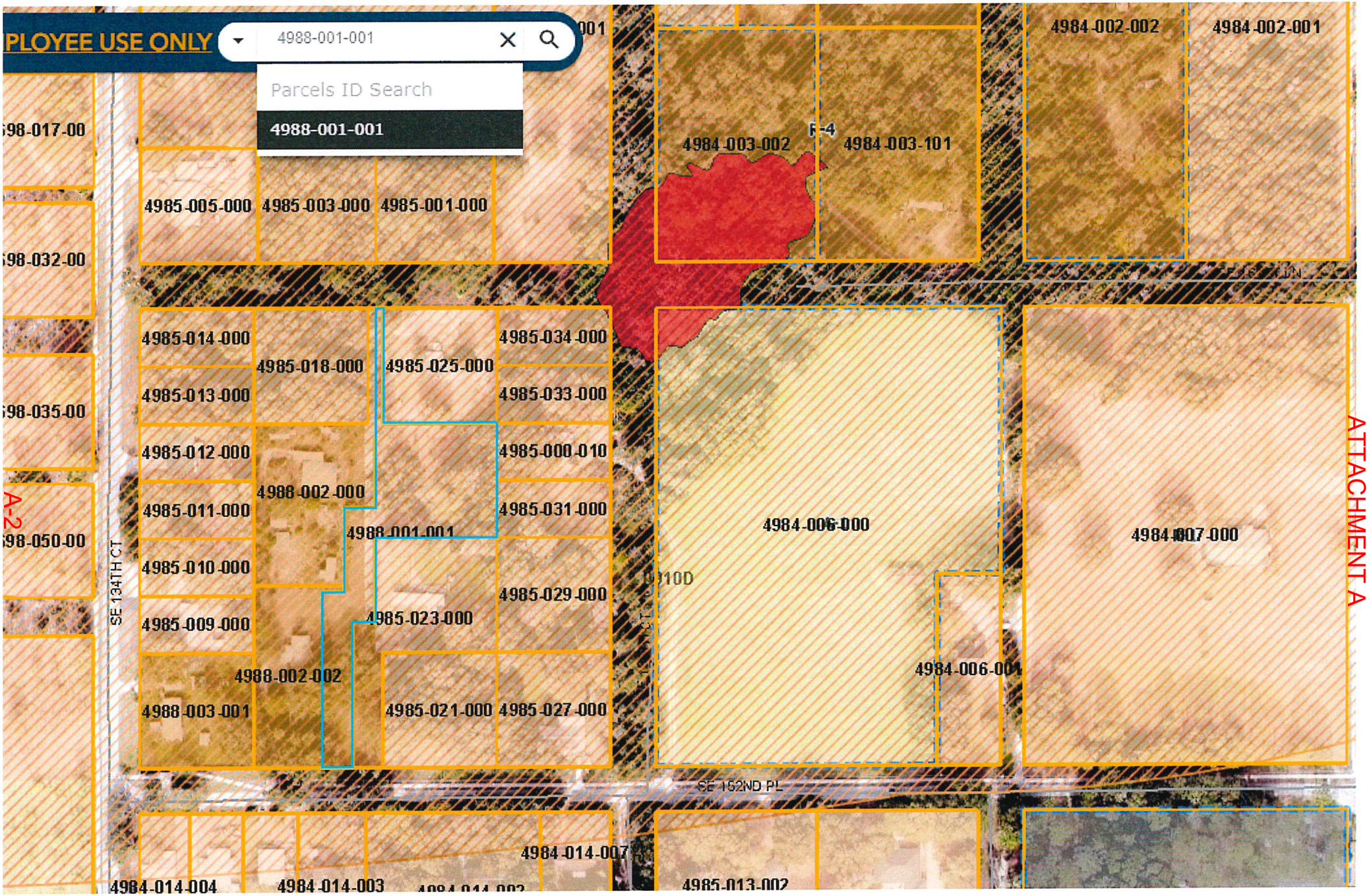
FOR OFFICE USE ONLY

RECEIVED BY: EM **DATE:** 5/1/25 **ZONING MAP NO.:** 296

AR 32800

REV: 04/2015

"Meeting Needs by Exceeding Expectations"


PLOYEE USE ONLY
4988-001-001
Parcels ID Search
4988-001-001
4984-002-002
4984-002-001
4984-003-002
4984-003-101
4985-005-000
4985-003-000
4985-001-000
4985-014-000
4985-018-000
4985-025-000
4985-034-000
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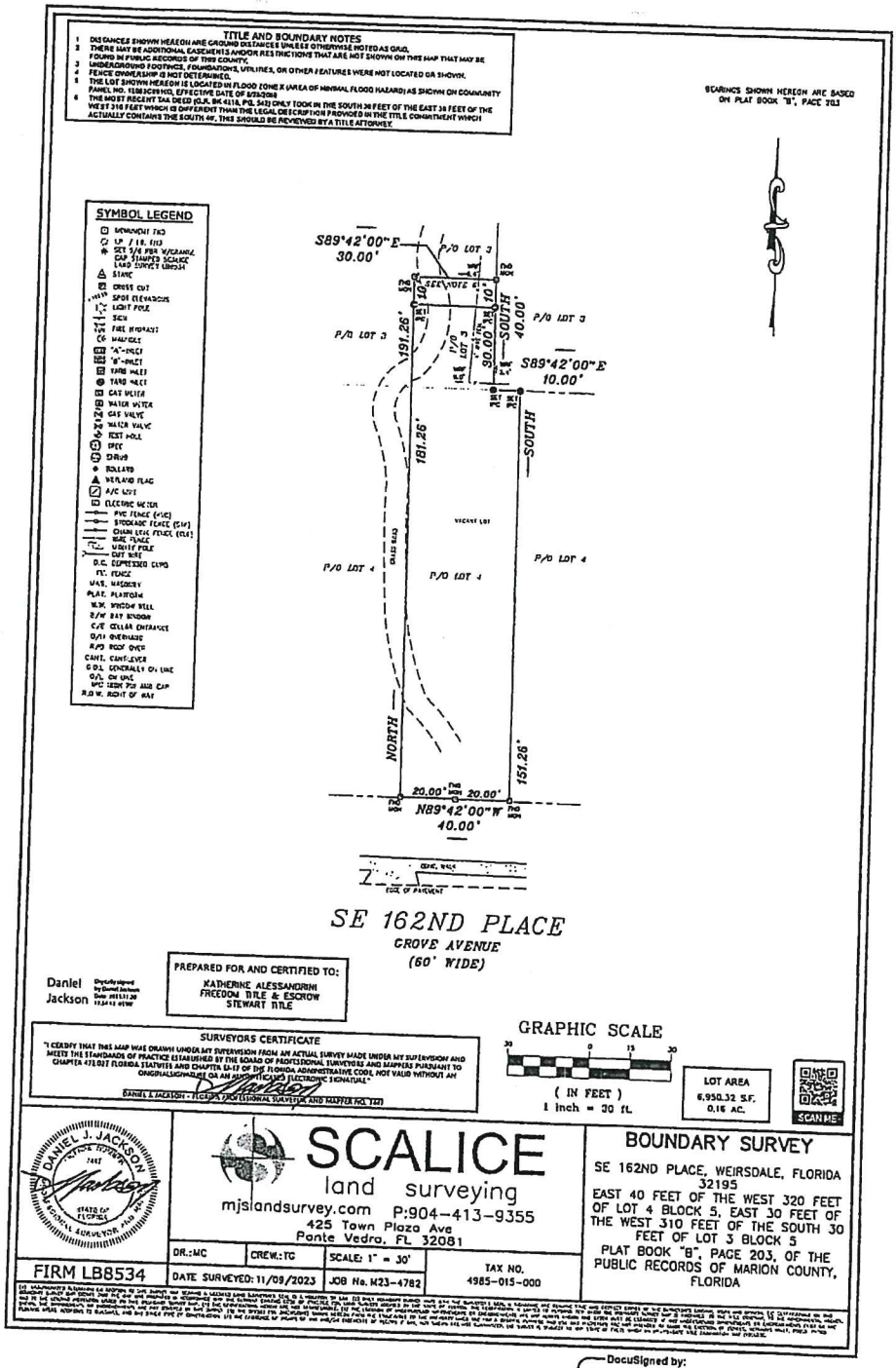
4985-023-000
4988-002-002
4988-003-001
4985-021-000
4985-027-000
4984-006-000
4984-007-000
4984-006-001
SE 134TH CT
SE 162ND PL
4984-014-007
4984-014-004
4984-014-003
4985-013-002
A-2
ATTACHMENT A

DocuSign Envelope ID: 664FCF2D-66F2-4367-A 47B6DE7F3EBB



DocuSigned by:
Katherine Fonseca Alessandrini

$42,000.
Prepared by and return to:
Alexis Hawkins
Freedom Title & Escrow Company, LLC
133 South Old Dixie Highway
Lady Lake, Florida 32159

File Number: 2025-4569

Warranty Deed

THIS INDENTURE, made this March 17, 2025 A.D. by **Katherine Fonseca Alessandrini, a married person**, whose post office address is 5337 Green Briar Drive, Lady Lake, Florida 32159, hereinafter called the grantor(s), to **Ashley Winter and Brandon Winter, wife and husband**, whose post office address is: 36100 Hickory Street, Fruitland Park, Florida 34731, hereinafter called the grantee(s):

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Marion** County, Florida, viz:

Lot 1, STAR LAND SUBDIVISION, according to the plat thereof recorded in Plat Book "R", Page 108, Public Records of Marion County, Florida.

Parcel ID Number: **R4988-001-001**

****THE PROPERTY DESCRIBED HEREIN DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR[S], NOR THEIR SPOUSE[S], AS THE SAME IS DEFINED BY THE LAWS AND THE CONSTITUTION OF THE STATE OF FLORIDA****

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to **December 31, 2024.**

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness #1 Signature

Printed Name M. Alexis Hawkins

Witness Mailing Address: 15174 SE 175th Street
Weirsdale, FL 32195

Witness #2 Signature

Printed Name Tiffany Henderson

Witness Mailing Address: 2931 Sunnyside Road
Lady Lake, FL 32159

Katherine Fonseca Alessandrini

State of Florida
County of Lake

The foregoing instrument was acknowledged before me by means of XX physical presence or [ ] online notarization this 17 day of March, 2025, by Katherine Fonseca Alessandrini, a married person.

Personally known [ ] OR Produced Identification XX

Type of Identification Produced: DL

{SEAL}

MARTHA ALEXIS HAWKINS
MY COMMISSION # HH 318908
EXPIRES: October 4, 2026

(Signature of Notary Public)

M. Alexis Hawkins

(Print, Type, or Stamp Commissioned Name)

My Commission Expires:

Online Notary: [ ] (Check if acknowledgment done by Online Notarization)

Jimmy H. Cowan, Jr., CFA
Marion County Property Appraiser

501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card
Real Estate

4988-001-001

Prime Key: 1181321 | MAP IT+ | Current as of 4/30/2025

Property Information

WINTER ASHLEY
WINTER BRANDON
36100 HICKORY ST
FRUITLAND PARK FL 34731-5303

Taxes / Assessments:
Map ID: 296
Millage: 9001 - UNINCORPORATED

M.S.T.U.
PC: 00
Acres: .93

2024 Certified Value

Land Just Value	$25,203
Buildings	$0
Miscellaneous	$0
Total Just Value	$25,203
Total Assessed Value	$25,203
Exemptions	$0
Total Taxable	$25,203

Ex Codes:

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$25,203	$0	$0	$25,203	$25,203	$0	$25,203
2023	$15,135	$0	$0	$15,135	$15,135	$0	$15,135
2022	$15,135	$0	$0	$15,135	$15,135	$0	$15,135

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
8562/0337	03/2025	07 WARRANTY	9 UNVERIFIED	Q	V	$42,000
8188/0966	11/2023	07 WARRANTY	9 UNVERIFIED	Q	V	$30,000
6091/1069	08/2014	05 QUIT CLAIM	7 PORTIONUND INT	U	V	$100
6079/1116	08/2014	62 DISTR	0	U	V	$100
6069/1044	04/2000	71 DTH CER	0	U	V	$100
6069/1042	03/1982	71 DTH CER	0	U	V	$100
0804/0558	04/1977	02 DEED NC	0	U	V	$1,800

Property Description

SEC 29 TWP 17 RGE 24
PLAT BOOK R PAGE 108
STAR LAND
LOT 1

ATTACHMENT A

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
0001		164.0	149.0	R4	.56	AC						
9430		10.0	151.0	R4	.03	AC						
9430		40.0	370.0	R4	.34	AC						

Neighborhood 4984 - SOUTH LAKE WEIR REV - W OF 25
Mkt: 10 70

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width

Appraiser Notes

2019 REVIEW W/PICTOMETRY /AERIAL 2017

Planning and Building
** Permit Search **

Permit Number	Date Issued	Date Completed	Description

Development Review Comments Letter

6/5/2025 10:45:16 AM

ASHLEY & BRANDON WINTER
ZO ZONING CHANGE #32800

ID	DESCRIPTION	REMARK	STATUS	DEPT
1	Rezoning (non-PUD)	N/A	INFO	911
2	Rezoning (non-PUD)	Stormwater is not opposed to the rezoning. The applicant proposes to rezone from R-1 to R-4. Parcel# 4988-001-001 is currently zoned R-1 & R-4 and is a total of 0.93 acres in size. There are no FEMA Special Flood Hazard Areas or Flood Prone Areas on the property. Per the MCPA, this parcel currently has 0 SF of impervious coverage. This site will be subject to a Major Site Plan when its existing and proposed impervious coverage exceeds 9,000 SF.	INFO	ENGDRN
3	Rezoning (non-PUD)	5/16/25 – APPROVED: There are no traffic-related concerns for the stated intended use of placing a manufactured home.	INFO	ENGTRF
4	Rezoning (non-PUD)	Approved	INFO	FRMSH
5	Rezoning (non-PUD)	no comment	INFO	LSCAPE
6	IS COMPATIBLE WITH SURROUNDING USES		INFO	LUCURR
7	IS CONSISTENT WITH COMP PLAN		INFO	LUCURR
8	FUTURE LAND USE DESIGNATION CORRECT		INFO	LUCURR
9	Rezoning (non-PUD)	The review will be conducted at the time of the reporting process.	INFO	LUCURR
10	WILL NOT BE ADVERSE TO THE PUBLIC INTEREST		INFO	LUCURR
11	Rezoning (non-PUD)	Parcel 4988-001-001 is located within the Marion County Utility service area and will be required to connect to Marion County Water, available on SE 162nd Place. Sewer is not available within connection distance at this time. Due to the irregular shape of the lot, please account for a potentially longer-than-usual plumbing run from the meter box to the proposed manufactured home.	INFO	UTIL

12	Rezoning (non-PUD)	The review will be conducted at the time of the reporting process.	INFO	ZONE

SITE PHOTOS

Consistent with LDC Section 2.7.3.D, staff conducted a site visit on July 18, 2025. One (1) sign was posted and the below photos were taken.

Figure 1.
Sign posted along SE 162nd Place

Figure 2.
Facing east along SE 162nd Place from subject property

Figure 3.
Facing west along SE 162nd Place from subject property

Figure 4.
Facing east of subject property along SE 162nd Place

Figure 5.
Facing west of subject property from SE 162nd Place

Figure 6.
View of driveway starting at PID 4985-021-000

Figure 7.
View of dirt road along subject property

Figure 8.
View of PID 4985-023-000 along dirt road on subject property

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19934 **Agenda Date:** 7/28/2025 **Agenda No.:** 1.6.

SUBJECT:
25-S10 - Oak Run Associates, LTD., Small-Scale Land Use Change from High Residential (HR) to Commercial (COM), ±9.13 Acres, Parcel Account Number 7000-000-000, Site Addresses 11437, 11517, 11621, 11637, and 11641 SW 90th Terrace, Ocala, FL 34481, Oak Run Development of Regional Impact, Adjoining Oak Run Neighborhood 8-B Subdivision

DESCRIPTION/BACKGROUND:
Fred N. Roberts, Jr. Esq., of Klein and Klein, PA, filed a small-scale comprehensive plan amendment application on behalf of Oak Run Associates, LTD [Steven Miller, President, Development & Construction Corporation of America (DECCA), as GP of Oak Run Associates, LTD], to change a ±9.13 acre site from High Residential (HR) to Commercial (COM). The Parcel Identification Number for the property is 7000-000-000; the site addresses are 11437, 11517, 11621, 11637, and 11641 SW 90th Terrace, Ocala, FL 34481, within the Oak Run Development of Regional Impact (DRI), adjoining Neighborhood 8-B. *The Oak Run DRI identified the site as an initial site support/construction yard that would then be occupied by commercial uses upon completion of development. The 2013/2014 Comprehensive Plan Update inadvertently identified the site as High Residential rather than Commercial, which was overlooked by staff due to the scale of the map update. This Amendment Application is proposed in order to correct the land use designation to reflect the site's originally authorized use. An Amendment is necessary in order to formally adopt the correction to the Comprehensive Plan Future Land Use Map by ordinance.*

The site is located in the Urban Growth Boundary, in the Countywide Secondary Springs Protection Overlay Zone (S-SPOZ), and in Marion County's Oak Run SW Regional Utility Service Area.

No letters of opposition or support have been received to date.

Staff recommends **APPROVAL** of the request as it resolves the site's inaccurate land use designation to reflect the Oak Run DRI's original plan of development as approved by Marion County. The site is part of the UGB, and functions to separate the area from a larger Commercial designated node to the west. The request is consistent with Land Development Code Section 2.3.3.B, which requires amendments to comply and be consistent with the Marion County Comprehensive Plan as well as the provisions of Chapter 163, Florida Statutes, be compatible with the surrounding uses, and not adversely affect the public interest.

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

Public Hearing Dates	**P&Z: 7/28/2025**	**BCC: 8/18/2025**
Case Number	25-S10	
CDP-AR	32806	
Type of Case: Small-Scale Comprehensive Plan Amendment	*Future Land Use Designation Change:* **FROM:** High Residential (HR; 4-8 DU/AC) **TO:** Commercial (COM; 0-8 DU/AC or 1.0 FAR)	
Owner	Oak Run Associates, LTD (Steven Miller, President, Development & Construction Corporation of America, as GP of Oak Run Associates, LTD)	
Applicant	Fred N. Roberts, Jr. Esq., Klein and Klein, PA	
Street Addresses	11437, 11517, 11621, 11637 and 11641 SW 90th Terrace, Ocala, FL 34481	
Parcel Numbers	7000-000-000	
Property Size	±9.13 acres	
Future Land Use	High Residential (HR; 4-8 DU/AC) [Oak Run Development of Regional Impact (DRI)]	
Zoning Classification	Planned Unit Development (PUD)	
Overlay Zones / Special Areas	In Urban Growth Boundary (UGB), In Primary Springs Protection Overlay Zone (P-SPOZ), In Marion County Utilities NE Regional Service Area; NOT in the Farmland Preservation Area	
Staff Recommendation	**APPROVAL**	
P&ZC Recommendation	**TBD**	
Related Cases	N/A	
Code Cases	N/A	

I. ITEM SUMMARY

Fred N. Roberts, Jr. Esq., of Klein and Klein, PA, filed a small-scale comprehensive plan amendment application on behalf of Oak Run Associates, LTD [Steven Miller, President, Development & Construction Corporation of America (DECCA), as GP of Oak Run Associates, LTD], to change a ±9.13 acre site from High Residential (HR) to Commercial (COM). The Parcel Identification Number for the property is 7000-000-000; the site addresses are 11437, 11517, 11621, 11637 and 11641 SW 90th Terrace, Ocala, FL 34481, within the Oak Run Development of Regional Impact (DRI) and the legal description is provided within the application (see Attachment A). Marion County's 2013/2014 Comprehensive Plan Update integrated of the County's approved and established Developments of Regional Impact and their authorized development plans and land uses within the Future Land Use Map. *The site Oak Run DRI's identified the site as an initial site support/construction yard that would then be occupied by commercial uses upon the completion of development (Attachment B). The 2013/2014 Comprehensive Plan Update inadvertently identified the site as High Residential rather than Commercial that was overlooked by staff due to the scale of the map updating. This Amendment Application is proposed in order to correct the land use designation to reflect the site's originally authorized use. An Amendment is necessary in to order to formally adopt the correction to the Comprehensive Plan Future Land Use Map by ordinance.*

II. STAFF SUMMARY RECOMMENDATION

Staff is recommending the **APPROVAL** of the Small-Scale Future Land Use Map Series (FLUMS) amendment because it correct the land use representation authorized for the site by the Oak Run DRI's original development approval, and is therefore consistent with Land Development Code Section 2.3.3.B, which requires amendments comply, and be consistent, with the Marion County Comprehensive Plan as well as the provisions of Chapter 163, Florida Statutes, be compatible with the surrounding uses, and not adversely affect the public interest.

Figure 1
General Aerial Location Map

III. NOTICE OF PUBLIC HEARING

Notice of public hearing was provided pursuant to LDC Section 3.5.3.A and B as listed in following Table A. As of the issuance of this report, staff has received 24 letters of opposition to the requests related to the Golden Ocala - World Equestrian Center applications.

TABLE A. PUBLIC NOTICE SUMMARY			
METHOD	**FORMAT**	**DATE**	**LDC Section**
Newspaper Legal Notice	Display Ad	Ad Run: 7/14/2025	3.5.3.A & 3.5.3.B(1)(b)
Sign	Small-Scale CPA	Posted: 7/16/2025	3.5.3.B(1)
300-foot Mail Notice	SPO Letter 74 - owners	Mailed: 7/11/2025	3.5.3.B(2)

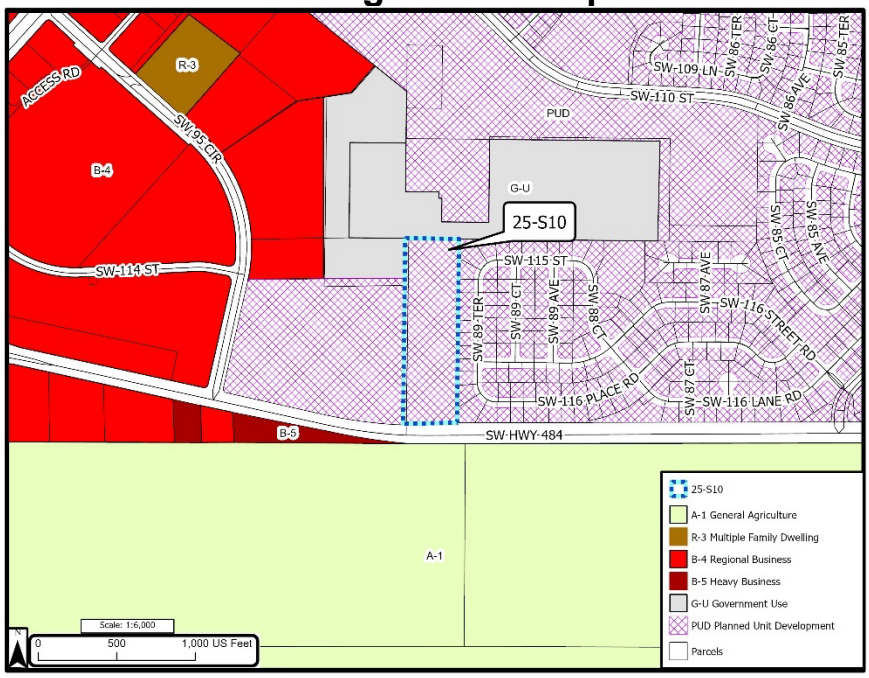
IV. BACKGROUND/PROPERTY HISTORY

A. *FLUMS history*. Figure 2 displays the current FLUMS designation of the subject property along with that of the surrounding properties. The subject property has a High Residential (HR) future land use, established with the 2013/2014 Marion County Comprehensive Plan Update; however, that designation overlooked the established Commercial use enabled for the site by the Oak Run DRI approval. The property owner is requesting that the site's land use designation be corrected to reflect to the historic approval in order to facilitate now establishing previously enabled commercial activity on the site.

Figure 2
Current Future Land Use Map Designation

B. *ZDM history*. Figure 3 shows the subject property is currently zoned Planned Unit Development (PUD), reflecting the original PUD approval granted for the initial commencement of the Oak Run DRI.

Figure 3
Zoning District Map



V. CHARACTER OF THE AREA

A. *Existing site characteristics*.

The subject property includes a series of non-residential structures with associated parking originally used for the development and construction operation for the Oak Run DRI infrastructure and residential homes. SW Hwy 484 runs along the south side of the site that features a non-residential driveway to SW Hwy 484, a designated Arterial road, that provides access to the site and Marion County's Oak Run SW Regional Utility Facilities to the north. The site is located in the Urban Growth Boundary, in the County-wide Secondary Springs Protection Overlay Zone (S-SPOZ),and in Marion County's SW Utility Service Area, and not in the Farmland Preservation Area (FPA). Figure 4, following, is an aerial photograph showing the subject property and surrounding flood plain and flood prone areas. The site does not include any identified flood plain per the Federal Emergency Management Agency's Flood Insurance Rate Maps Series (FEMA FIRM); however, the Marion County Stormwater Division's Watershed Management Program (WMP) identifies a flood prone area that generally coincides with an existing on-site stormwater retention pond.

Figure 4
Flood Plain and Flood Prone Areas

B. *Adjacent and surrounding land uses*. Figure 5 is an aerial photograph of the site and surrounding area development, while Figure 6 is a map showing the existing and surrounding land uses based on the Marion County Property Appraisers Office property use code data. North of the site is the Marion County Utilities Oak Run SW Regional Utility Facility site that extends to the east and west. South of the site, across SW Hwy 484 is the Cross-Florida Greenway. The property to the west is designated Commercial and that property was approved for a multiple-family PUD (221008ZP, 1/17/2023); however, the site remains vacant and no development plans for the intended PUD have been filed at this time. The site's east boundary is shared with existing residential homes in the Oak Run Neighborhood 8-B (Plat Book 1, Pages 86-91; Recorded 10/9/1989, see Attachment C).

Figure 5
Aerial Photograph with Subdivisions

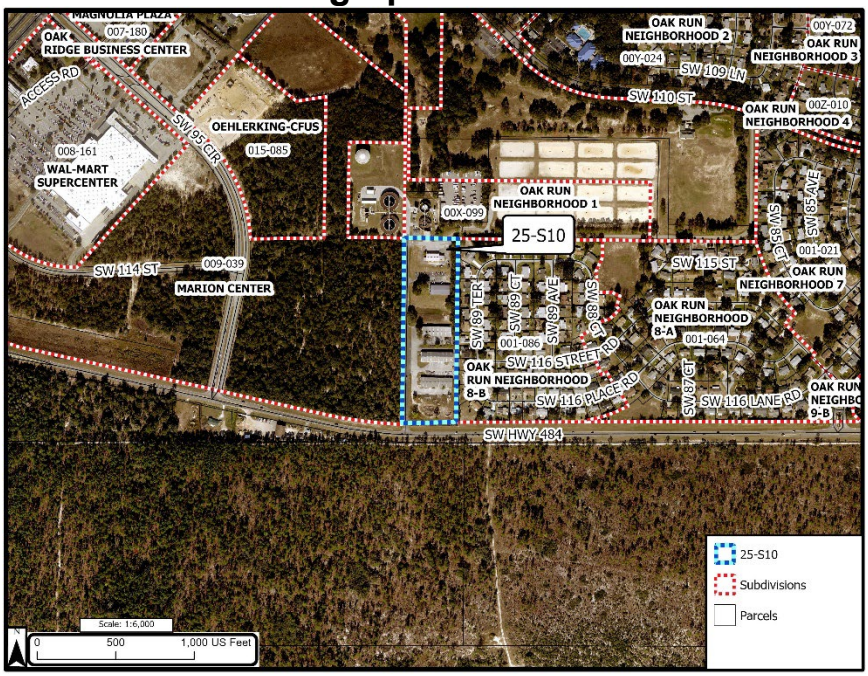


Figure 6
Existing and Surrounding Land Uses

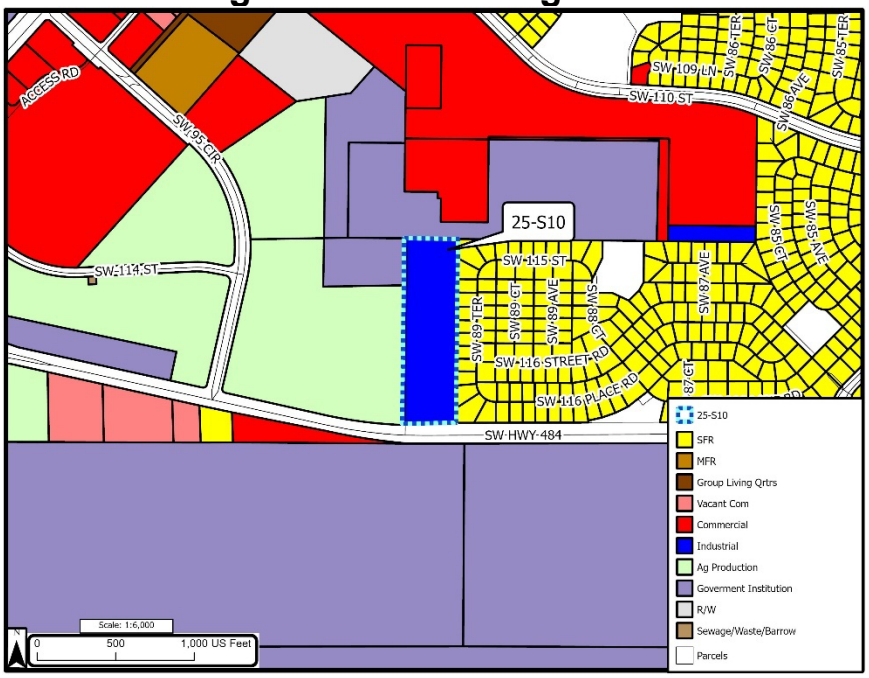


Table A, following, lists the FLUMS, Zoning Classification, and existing uses on the subject site and surrounding uses.

TABLE A. ADJACENT PROPERTY CHARACTERISTICS			
Direction	**FLUM Designation**	**Zoning Classification**	**Existing Use Per MCPA Property Code**
Subject Property	High Residential (HR)	Planned Unit Development (PUD)	Offices and office/warehouse space
North	Public (P)	Government Use (G-U)	MC Oak Run SW Regional Utility Facilities
South	Preservation (PR)	General Agriculture (A-1)	Cross-Florida Greenway
East	High Residential (HR)	Planned Unit Development (PUD)	Single-Family Retirement Residences (Oak Run, Unit 8-B)
West	Commercial (COM)	Planned Unit Development (PUD)	Vacant (PUD 221008ZP for Multiple-family Apartment Complex)

C. *Project request*. Following Figure 7 depicts the FLUMS amendment proposed by this application. The application requests changing the site's future land use designation from High Residential (HR; 4 – 8 DU/AC) to Commercial (COM; 0-8 DU/AC or 1.0 FAR). The site was identified for commercial use with the original approval of the Oak Run DRI, and the amendment will correct and restore the appropriate land use designation for the site consistent with that original approval.

Figure 7
Proposed FLUMS Designation

The adjoining property north is the Public designated Marion County Oak Run SW Regional Utility Facility, while the adjoining vacant property west is designated Commercial. An October 2022 PUD Rezoning approval authorized a residential apartment complex on that site; however, no applications to proceed with that

development have been filed at this time. South, across SW Hwy 484, is the Cross-Florida Greenway with a Preservation future land use designation. East of the site is Oak Run Neighborhood 8-B designated High Residential that is part of the original Oak Run PUD. The requested Commercial will correct and restore the original Commercial land use designation as enabled with the original approval of the Oak Run DRI. Staff notes that the site and surrounding properties to the north, east, west and southwest are all within the UGB and within the general County-wide Secondary Springs Protection Overlay Zone. In summation, staff concludes that the application is **compatible** with the site and character of the area as originally enabled by the establishment of the Oak Run DRI.

VI. ANALYSIS

LDC Section 2.3.3.B requires a Comprehensive Plan Amendment Application to be reviewed for compliance and consistency with the Marion County Comprehensive Plan and Chapter 163, Florida Statutes. Staff's analysis of compliance and consistency with these two decision criteria are addressed below.

A. *Consistency with the Marion County Comprehensive Plan*

1. Future Land Use Element (FLUE).

a. Goal 1: Purpose of the Future Land Use Element – To protect the unique assets, character, and quality of life in the County through the implementation and maintenance of land use policies and a Land Development Code (LDC) that accomplish the following:

1. Promote the conservation and preservation of natural and cultural resources;
2. Support and protect agricultural uses;
3. *Protect and enhance residential neighborhoods while allowing for mixed use development within the county*;
4. *Strengthen and diversify the economic base of the County;*
5. *Promote development patterns that encourage an efficient mix and distribution of uses to meet the needs of the residents throughout the county*;
6. *Ensure adequate service and facilities to timely serve new and existing development*;
7. Protect and enhance the public health, safety, and welfare; and
8. ***Protect private property rights.***

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The application is **consistent** with FLUE Goal 1.

b. FLUE Policy 1.1.1: Marion County Planning Principles - The County shall rely upon the following principles to guide the overall planning framework and vision for the County:

1. Preserve, protect and manage the County's valuable natural resources.

2. Recognize and protect the rural equestrian and agricultural character as an asset of the County's character and economy while providing clear, fair and consistent standards for the review and evaluation of any appropriate future development proposals.
3. *Support the livability of the existing cities and towns in the County by planning for the logical extension of development in a manner that enhances the scale, intensity and form of these areas through the introduction of sustainable smart growth principles and joint planning activities.*
4. Support economic development through government practices that place a priority on public infrastructure necessary to attract such activities and that foster a local economic development environment that is conducive to the creation and growth of new businesses, the expansion of existing businesses, and is welcoming to private entrepreneur activities.

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The application is **consistent** with FLUE Policy 1.1.1.

c. FLUE Policy 1.1.6: Buffering of Uses – The County shall require new development or substantial redevelopment to provide buffering to address compatibility concerns and reduce potential adverse impacts to surrounding properties, as further defined in the LDC.

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded.

The application is **consistent** with FLUE Policy 1.1.6.

d. FLUE Policy 2.1.22: Commercial (COM) - This land use designation is intended to provide for mixed-use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to eight (8) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the

development concluded. The application is **consistent** with FLUE Policy 2.1.22.

e. FLUE Policy 5.1.2 on Review Criteria – Changes to the Comprehensive Plan and Zoning Provides, "Before approval of a Comprehensive Plan Amendment (CPA), Zoning Change (ZC), or Special Use Permit (SUP), the applicant shall demonstrate that the proposed modification is suitable. The County shall review, and decide that the proposed modification is compatible with existing and planned development on the site and in the immediate vicinity, and shall evaluate its overall consistency with the Comprehensive Plan, Zoning, and LDC and potential impacts on, but not limited to the following:

1. Market demand and necessity for the change;
2. Availability and potential need for improvements to public or private facilities and services;
3. Allocation and distribution of land uses and the creation of mixed use areas;
4. Environmentally sensitive areas, natural and historic resources, and other resources in the County;
5. Agricultural activities and rural character of the area;
6. Prevention of urban sprawl, as defined by Ch. 163, F.S.;
7. *Consistency with the UGB;*
8. *Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC;*
9. Compatibility with current uses and land uses in the surrounding area;
10. Water Supply and Alternative Water Supply needs; and
11. Concurrency requirements.

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The application is **consistent** with FLUE Policy 5.1.2.

f. FLUE Policy 5.1.3: Planning & Zoning Commission (P&Z) - The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

Analysis: This application is scheduled to appear in front of the P&Z on July 28, 2025. This application is **consistent** with FLUE Policy 5.1.3.

g. FLUE Policy 5.1.4: Notice of Hearing - The County shall provide notice consistent with Florida Statutes and as further defined in the LDC.

Analysis: Public notice has been provided as required by the LDC and Florida Statutes, and therefore the application is being processed **consistent** with FLUE Policy 5.1.4.

h. FLUE Policy 6.1.3: Central Water and Wastewater Service – The County shall require development within the UGB, Urban Areas, and other developments consistent with this Plan and as required in the LDC to use central water and wastewater. Central water and wastewater treatment facilities shall be constructed in accordance with the Wastewater and Potable Water Elements of this Plan as further defined in the LDC.

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The site is currently receiving central utility services from Marion County's Oak Run SW Regional Utility Facilities. The application is **consistent** with FLUE Policy 6.1.3.

2. Transportation Element (TE)

a. TE Policy 2.1.4: Determination of Impact - All proposed development shall be evaluated to determine impacts to adopted LOS standards.

Analysis: The initial Oak Run DRI approval, and various subsequent approvals, were accompanied by traffic study information which addressed the site as a component of the overall development. The site's use for site support facilities, typically contractor storage warehouses with office space, were completed and operational for a number of years. As the residential development has approached conclusion, the extent of use for the site has been reduced as well. Implementing commercial use of the existing facilities, as constructed would not likely generate any additional trips beyond those generated in the past which is currently ±94 daily trips, ±9 am peak hour trips and ±10 pm peak hour trips. In the event part or all of the site was redeveloped for more traditional commercial uses (office, retail, etc.), revised/new site plans would be required and such plans would need to be accompanied by an updated site traffic operational study that would focus on access to the site. Based on the above findings, the application is **consistent** with TE Policy 2.1.4.

b. TE Objective 3.1: Financial Feasibility of Development - To encourage development within the Urban Growth Boundary (UGB) where infrastructure can be provided in a financially feasible manner.

Analysis: The subject property is within the UGB, and includes frontage on SW Hwy 484 and is part of the Oak Run DRI that is connected to Marion County's Oak Run SW Regional Utility Facilities. The application is **consistent** with TE Objective 3.1.

3. Sanitary Sewer Element (SSE)
   a. SSE Policy 1.1.1: "The LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand is adopted as the basis for future facility design, determination of facility capacity, and documentation of demand created by new development. This LOS shall be applicable to central sewer facilities and to package treatment plants but shall not apply to individual OSTDS."

      Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The site is currently receiving central utility services from Marion County's Oak Run SW Regional Utility Facilities. The application is **consistent** with SSE Policy 1.1.1.

4. Potable Water Element (PWE)
   a. PWE Policy 1.1.1 provides in part, "[t]he LOS standard of 150 gallons per person per day (average daily consumption) is adopted as the basis for future facility design, determination of available facility capacity, and determination of demand created by new development with regard to domestic flow requirements, and the non-residential LOS standard shall be 2,750 gallons per acre per day."

      Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The site is currently receiving central utility services from Marion County's Oak Run SW Regional Utility Facilities. Based on these findings, the application is generally **consistent** with PWE Policy 1.1.1.

5. Solid Waste Element (SWE)
   a. SWE Policy 1.1.1 provides, "[t]he LOS standard for waste disposal shall be 6.2 pounds of solid waste generation per person per day. This LOS standard shall be used as the basis to determine the capital facilities or contractual agreements needed to properly dispose of solid waste currently generated in the County and to determine the demand for solid waste management facilities which shall be necessitated by future development."

      Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site

support area would also be utilized for commercial use as the development concluded. The site's existing development, as a non-residential activity, currently provides for private collection services which will continue as the site transitions to other potential non-residential commercial uses. Based on the above findings, the application is **consistent** with SWE Policy 1.1.1.

6. Stormwater Element (SE).
   a. SE Policy 1.1.4 provides, "[t]he demand for stormwater facility capacity by new development and redevelopment shall be determined based on the difference between the pre-development and post-development stormwater runoff characteristics (including rates and volumes) of the development site using the applicable design storm LOS standard adopted in Policy 1.1.1 and facility design procedures consistent with accepted engineering practice."

   b. SE Policy 1.1.5 provides, "Stormwater facilities meeting the adopted LOS shall be available concurrent with the impacts of the development."

   Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The site's existing development provides for on-site stormwater management historically established. As the site transitions to other potential non-residential uses, use of the site will be subject to Marion County LDC provisions regarding development and design, including impervious surface and stormwater design standards. Based on the above, the application is **consistent** with SE Policy 1.1.4 and 1.1.5.

7. Public School.
   a. As an existing commercial site that is expected to continue in commercial use, consistent with the established Oak Run DRI and PUD, a student population is not anticipated from the subject property. For reference, the site is located in the Marion Oaks Elementary, Horizon Academy at Marion Oaks Middle School, and West Port High School districts as projected for the 2025/2026 school year, with the high school changing to the new High School CCC at Marion Oaks for the 2026/2027 school year. Therefore, it is concluded that the application is **consistent** with this section.

8. Fire Rescue/Emergency
   a. The Ray Lloyd, Jr. Fire Station #31 at 11240 SW Hwy 484, Dunnellon, is located ±2.2 miles west of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Marion County has established a 5-mile drive distance from the subject property as evidence of the availability of such services.

Analysis: The Fire Services Department provides services to the existing developed site, and as the site transitions to other potential non-residential uses, use of the site will be subject to Marion County LDC provisions regarding development and design, including related fire codes, along with any applicable potential assessments and/or impact fees for the development proposed. As such, staff finds the application is **consistent** with this section.

9. Law Enforcement/Sheriff.
   a. The Sheriff's Southwest SR 200 District Office, located at 9048 SW Hwy 200, Ocala, is located ±2 miles north/northwest of the subject property. The Comprehensive Plan does not establish a level of service standard for law enforcement/sheriff services. Marion County has established a 5-mile drive distance from the subject property as evidence of the availability of such services.

      Analysis: The Marion County Sheriff's Office (MCSO) provides services to the existing developed site, and as the site transitions to other potential non-residential uses, use of the site will be subject to Marion County LDC provisions regarding development and design, along with any applicable potential assessments and/or impact fees for the development proposed. As such, staff finds the application is **consistent** with this section.

In summation, staff concludes that the application is **consistent** with the Comprehensive Plan, as the site is located within the Urban Growth Boundary (UGB) and will correct and restore the appropriate future land use designation for the site the reflects this historic Oak Run DRI approval. Further, adequate public facilities are in place, and any changes of use will be subject to Marion County LDC provisions regarding development and design.

B. *Consistency with Chapter 163, Florida Statutes (F.S.)*.

1. Section 163.3177(6)(a)8, F.S. "Future land use map amendments shall be based upon the following analyses:
   a. An analysis of the availability of facilities and services.
   b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
   c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section."

   Analysis: Section A of this staff report included a detailed analysis of the availability of facilities and services. Services are present in the area, and final connection determinations would be made at the time of development review. The site will function as a transitional area between uses where urban services are available or underway. Based on this information, the application **does comply with and conform to** F.S. Section 163.3177(6)(a)8a.

The analysis of the suitability of the plan amendment for its proposed use was addressed in the "Character of the area" section of this staff reports and it was found that the application **does comply with and conform to** F.S. Section 163.3177(6)(a)8b.

The analysis of the minimum amount of land needed to achieve the goals and requirements of this section was functionally addressed in the analysis of FLUE Policies. Therefore, the application **does comply with and conform to** F.S. Section 163.3177(6)(a)8c.

2. Section 163.3177(6)(a)9 provides, "[t]he future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
   a. Subsection 'a' provides, "[t]he primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:
      (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
      (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
      (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
      (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
      (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
      (VI) Fails to maximize use of existing public facilities and services.
      (VII) Fails to maximize use of future public facilities and services.
      (VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
      (IX) Fails to provide a clear separation between rural and urban uses.
      (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
      (XI) Fails to encourage a functional mix of uses.

(XII) Results in poor accessibility among linked or related land uses.
(XIII) Results in the loss of significant amounts of functional open space.

Analysis: Staff notes the site is within the County UGB and will provide for a mix of uses and transition between residential uses and a larger Commercial land use designated node to the west; further the site has existing access to the existing transportation network, and any modifications the site uses will require compliance with applicable LDC provisions to ensure possible impacts are suitably mitigated. Staff finds the application is **consistent** with F.S. Section 163.3177(6)(a)9a.

b. Subsection 'b' provides, "[t]he future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
(I) *Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.*
(II) *Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*
(III) *Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*
(IV) Promotes conservation of water and energy.
(V) *Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.*
(VI) Preserves open space and natural lands and provides for public open space and recreation needs.
(VII) *Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.*
(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164."

Analysis: Staff notes the site is within the County UGB and will provide for a mix of uses and transition between residential uses and a larger Commercial land use designated node to the west; further the site has existing access to the existing transportation network, and any modifications the site uses will require compliance with applicable LDC provisions to ensure possible impacts are suitably mitigated. Based on this

finding, the proposed amendment is **consistent** with F.S. Section 163.3.177(6)(a)9b.

In summation, staff concludes that the application is **consistent** with F.S. Section 163.3177(6)(a), as the site is located within the Urban Growth Boundary (UGB) and will establish a future land use designation that reflects the site's original approvals that also allows the site to act as a transition between a designated Commercial node area and residential area to the east. Further, adequate public facilities are in place, and any modifications the site uses will require compliance with applicable LDC provisions to ensure possible impacts are suitably mitigated .

VII. ALTERNATIVE ACTIONS

A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation with findings to the Board of County Commissioners to **DENY** the proposed small-scale FLUMS amendment.

B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance and act to **TABLE OR CONTINUE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation with findings to the Board of County Commissioners to **APPROVE** the proposed small-scale FLUMS amendment.

VIII. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (P&Z) enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners for **APPROVAL** of the proposed small-scale FLUMS amendment number 25-S10based on the following:

A. The application **is consistent** with the following Comprehensive Plan provisions:
1. FLUE Goal 1, Policies 1.1.1, 1.1.6, 2.1.19, 5.1.2,5.1.3, 5.1.4, and 6.1.3,
2. TE Policy 2.1.4, and Objective 3.1
3. SSE Policy 1.1.1,
4. PWE Policy 1.1.1,
5. SW Policy 1.1.1,
6. SE Policies 1.1.4 and 1.1.5;

B. The application **does comply with and conform** to Florida Statutes, Sections Section 163.3177(6)(a)8 and 163.3177(6)(a)9, subsections a and b, as provided in prior report sections VI.A and VI.B

IX. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined.

X. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

XI. LIST OF ATTACHMENTS

A. Application.
B. Resolution No. 86-R-293, Oak Run DRI Development Order.
C. Oak Run Neighborhood 8-B Subdivision, Plat Book 1, Pages 86-91.
D. DRC Staff Review Comments (AR 32806).
E. Site/Sign Photos.

Marion County
Board of County Commissioners

Growth Services

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

Revised 01/09/2020

MARION COUNTY APPLICATION FORM FOR LARGE- AND SMALL-SCALE COMPREHENSIVE PLAN AMENDMENTS

Staff Use Only: **Case # 1__- _____**

PLEASE CHECK THE APPROPRIATE APPLICATION TYPE BELOW:	
LARGE-SCALE MAP AMENDMENT _____ **TEXT AMENDMENT _____**	**SMALL-SCALE MAP AMENDMENT_X_** **TEXT AMENDMENT _____** *(Text amendment must be associated with submitted small-scale map amendment)*

REQUIRED DOCUMENTS TO ATTACH TO APPLICATION (add additional pages if necessary):

1) Certified legal description with a boundary sketch signed by a Florida registered surveyor for the specific property proposed to be amended. Certified legal description must include the acreage.
2) Copy of the most recent deed covering the property included within the proposed amendment.
3) Notarized owner affidavit(s) – see third page of this form.
4) Application fee – cash or check made payable to "Marion County Board of County Commissioners."
5) Additional information, including proposed text amendment language, necessary to complete application.

(NOTE: If applying for text amendment only, skip filling out the rest of the form except for applicant and/or authorized agent contact information requested on this page.)

Marion County Tax Roll Parcel Number(s) Involved	Parcel Section, Township, Range (S-T-R)	Acreage of Parcel(s)	Current Future Land Use Category	Proposed Future Land Use Category
7000-000-000	35-16-20	9.13	HR	COM

CONTACT INFORMATION (NAME, ADDRESS, PHONE NUMBER, FAX AND EMAIL)	
Property owner/applicant	Authorized agent (if not the owner/applicant)
Oak Run Associates LTD 8825 SW 110th Street Ocala, FL 34481 352-854-6010	Fred N. Roberts, Jr., Esq. 40 SE 11th Avenue Ocala, FL 34471 352-732-7750 (p) 352-732-7754 (f) fred@kleinandkleinpa.com Steven Miller, President Development & Construction Corporation of America, as GP of Oak Run Associates LTD 31899 Del Obispo Street Suite 150 San Juan Capistrano, CA 92675

Staff Use Only: Application Complete – Yes Received: Date 4/30/25 Time 1 : ___ a.m. / p.m. **Page 1 of 3**

Project : 2025 05 0007

Empowering Marion for Success

AR 32806

CONCEPTUAL PLAN FOR SITE AVAILABLE? YES ____ NO X___
(IF YES, PLEASE ATTACH TO APPLICATION)

Revised 01/09/2020

EXISTING USE OF SITE:

Commercial Warehouse/Office

PROPOSED USE OF SITE (IF KNOWN):

Revise FLU to COM(Commercial) to correspond to current use and PUD

WHICH UTILITY SERVICE AND/OR FACILITY WILL BE UTILIZED FOR THE SITE?

Well ____ Centralized water _____ Provider _____

Septic ____ Centralized sewer _____ Provider _____

DIRECTIONS TO SITE FROM GROWTH SERVICES BUILDING (2710 E. SILVER SPRINGS BLVD., OCALA):

Go South on Highway 200. Turn Left on Highway 484. Property is on left.

KLEIN & KLEIN, PLLC

Harvey R. Klein (1922-2003)
H. Randolph Klein
Fred N. Roberts, Jr.
Lawrence C. Callaway, III
Austin T. Dailey
Ethan A. White

Attorneys at Law
40 SE 11th Avenue
Ocala, Florida 34471

Phone (352) 732-7750
Fax (352) 732-7754

April 30, 2025

VIA HAND DELIVERY
Marion County
Growth Services
Attn Chris Rison
2710 E. Silver Springs Blvd.
Ocala, FL 34470

Re: ***ORIGINAL DOCUMENT TRANSMITTAL***
Application for Comprehensive Plan Amendment (Small-Scale Map Amendment) for Marion County Parcel Identification Number 7000-000-000

Dear Chris:

In follow up to my email from yesterday, attached please find the original of the above referenced application together with the corresponding support documents. Once processed, please let me know what the anticipated hearing dates are likely to be so we can schedule accordingly.

As always, please do not hesitate to call me if you have any questions or would like to discuss further.

Very truly yours,

KLEIN AND KLEIN, PLLC

Fred N. Roberts, Jr.

FNRjr/mt
Enclosures

PROPERTY OWNER AFFIDAVIT

Revised 01/09/2020 -

STATE OF Florida
COUNTY OF Marion

BEFORE ME THIS DAY PERSONALLY APPEARED Oak Run Associates LTD,
Property owner's name, printed

WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner of the real property legally identified by Marion County Parcel numbers: 7000-000-000, _____, _____.

2. He/she duly authorizes and designates Fred N. Roberts, Jr., Esq. Klein & Klein, PLCC to act in his/her behalf for the purposes of seeking a change to the future land use map designation of the real property legally described by the certified legal description that is attached with this amendment request;

3. He/she understands that submittal of a Comprehensive Plan map and/or text amendment application in no way guarantees approval of the proposed amendment;

4. The statements within the Comprehensive Plan map and/or text amendment application are true, complete and accurate;

5. He/she understands that all information within the Comprehensive Plan map and/or text amendment application is subject to verification by county staff;

6. He/she understands that false statements may result in denial of the application; and

7. He/she understands that he/she may be required to provide additional information within a prescribed time period and that failure to provide the information within the prescribed time period may result in the denial of the application.

8. He/she understands that if he/she is one of multiple owners included in this amendment request, and if one parcel is withdrawn from this request, it will constitute withdrawal of the entire amendment application from the current amendment cycle.

Property owner's signature **Date** 4/15/25

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 15 **day of** April, 2025 **(year),**
by Steven Miller, President of Development & Construction Corporation of America, as GP of Oak Run Associates LTD **(name of person making statement).**
He/she is personally known to me or has produced FL DL **as identification.**
(Driver's license, etc.)

Notary public signature

REANNE DEGRAFF NOTARY PUBLIC MY COMMISSION EXPIRES 7-25-2028 STATE OF FLORIDA COMMISSION NUMBER HH 575105

State of Florida **County of** Marion
My commission expires: 7-25-28

Madeloni, Elizabeth

From: Fred Roberts <Fred@kleinandkleinpa.com>
Sent: Wednesday, April 30, 2025 4:38 PM
To: Madeloni, Elizabeth
Subject: Re: LU Amendment for Oak Run

CAUTION: **THIS MESSAGE IS FROM AN EXTERNAL SENDER**
This email originated from outside the organization. Do not click links, open attachments, or share any information unless you recognize the sender and know the content is safe. Report suspicious emails using the "Phish Alert" button in Outlook or contact the Helpdesk.

Liz
,
The signer is Steven Miller
Sent from my iPhone using Voice-to-Text

On Apr 30, 2025, at 4:30 PM, Madeloni, Elizabeth <Elizabeth.Madeloni@marionfl.org> wrote:

Fred,
Can you print out the signature on the property owner affidavit?
I can't cross reference if that signature is an authorized signer because I cannot read the signature.
Thank you,
Liz

<_MC-seal-4C-Rev-19_cba48ea3-e87b-450b-b0b9-d5aeaa4a09a8.png>

Elizabeth Madeloni
Development Review Coordinator
Growth Services

Marion County Board of County Commissioners
2710 E. Silver Springs Blvd.
Ocala, FL 34470
Main: 352-438-2675 | Direct: 352-438-2683

Empowering Marion for Success!

Under Florida law, emails to our organization are public records. If you do not want your email reviewed in response to a public records request, contact this office by phone.

13.00 Rec
6615.45 Doc
6628.45

O.R. BOOK 1255 PAGE 0266

WARRANTY DEED FROM OEHLERKING ASSOCIATES TO DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA, A FLORIDA CORPORATION

THIS WARRANTY DEED, made this 12th day of December, 1984, by Oehlerking Associates, a Florida general partnership, hereinafter referred to as "GRANTOR", to Development & Construction Corporation of America, a Florida Corporation, whose post office address is in care of Robert S. Ryder, P. O. Box 2164, 1111 NE 25th Avenue, Suite 103, Ocala, Florida 32678, hereinafter referred to as "GRANTEE": its legal representatives, assigns and successors.

W I T N E S S E T H :

That the GRANTOR, for and in consideration of the sum of ten dollars ($10.00), and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, has and does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the GRANTEE, all that certain land situate in Marion County, Florida, as more specifically described in Exhibit A attached hereto, and incorporated herein by reference.

Together with all the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining.

Subject only to that certain Purchase Money First Mortgage from Development & Construction Corporation of America, a Florida Corporation, to Oehlerking Associates of even date, taxes for the year 1985 and subsequent years, that certain easement as recorded in O. R. Book 555 at Page 91, Public Records of Marion County, Florida, and zoning regulations as imposed by any governmental authority.

To have and to hold, the same in fee simple forever.

And the GRANTOR hereby covenants with the GRANTEE, that the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good and lawful authority to sell and convey said land; that the GRANTOR hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; that the said land is free and clear of all encumbrances, excepting taxes accruing subsequent to December 31, 1984, and that the GRANTOR has duly authorized and empowered Bruce E. Oehlerking, as Attorney-in-Fact, for all Partners of Oehlerking Associates and Wayne Oehlerking, as managing partner of the partnership, to execute this conveyance on behalf of all partners.

IN WITNESS WHEREOF, said GRANTOR has signed and sealed these presents the day and year first written above.

Signed, sealed and delivered in our presence:

Witness

Witness

Witness

Witness

Bruce E. Oehlerking
Bruce E. Oehlerking, As Attorney-in-Fact for all Partners of Oehlerking Associates

Wayne Oehlerking, as Managing Partner of Oehlerking Associates, a Florida General Partnership

84 DEC 14 PM 1:08
MARION COUNTY, FLORIDA
CLERK CIRCUIT COURT
RECORDED AND RECORDED
84-062285

RECORD AND RETURN TO

RECORD AND RETURN TO:
GIBRALTAR TITLE OF BOCA RATON, INC.
301 Crawford Boulevard, Suite 203
Boca Raton, Florida 33432

O.R. BOOK 1255 PAGE 0267

STATE OF FLORIDA)
: SS
COUNTY OF MARION)

I HEREBY CERTIFY that, on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Bruce E. Oehlerking, known to me to be the person whose name is subscribed as attorney-in-fact for ALL PARTNERS OF OEHLERKING ASSOCIATES, and acknowledged before me that he executed the same as the act of his principal for the purposes therein contained.

WITNESS my hand and seal in the County of Marion, in the State of Florida this 12 day of December, 1984.

NOTARY PUBLIC
State of Florida-at-Large

(SEAL)

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXPIRES JULY 2 1987
BONDED THRU GENERAL INSURANCE

STATE OF FLORIDA)
: SS
COUNTY OF MARION)

I HEREBY CERTIFY that, on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Wayne Oehlerking, individually and as Managing Partner of Oehlerking Associates to me known to be the person described in and who executed the foregoing instrument, and he acknowledged before me that he executed the same.

WITNESS my hand and seal in the County of Marion, in the State of Florida this 12 day of December, 1984.

NOTARY PUBLIC
State of Florida-at-Large

(SEAL)

My Commission Expires:

~~Record and return to:~~
This instrument prepared by,
Robert S. Ryder, Esquire
P. O. Box 2164
Ocala, Fl 32678
904/732-1666

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXPIRES JULY 2 1987
BONDED THRU GENERAL INSURANCE

O.R. BOOK 1255 PAGE 0268

PARCEL A
As Referred to in Amendment to Agreement For Purchase and Sale of Oehlerking Associates and Kulbir Ghumman and or Assigns dated August 23, 1984 (371.00 acres)

LEGAL DESCRIPTION:

A parcel of land situated in Section 35 and 36, Township 16 South, Range 20 East, Marion County, Florida, and being more particularly described as follows:

Beginning at the Northeast corner of Section 35 and the Northwest corner Section 36;

Thence S 89° 16' 55" W along the North line of Section 35, 1542.52 feet to a point in the Southeasterly Right-of-Way line of State Road 200;

Thence S 41° 39' 25" W along said Right-of-Way line, a distance of 300 feet;

Thence S 51° 36' 26" E a distance of 1727.49 feet;

Thence S 00° 16' 18" W a distance of 2571.56 feet to a point in the Northerly Right-of-Way of County Road No. 484.

Thence along said Right-of-Way line along a curve to the left; said curve having an arc distance of 132.50 feet, a chord distance of 132.48 feet and a chord bearing of S 89° 07' 58" E;

Thence continue along said Northerly Right-of-Way Line N 89° 31' 18" E a distance of 4374.34 feet;

Thence along said Right-of-Way line along a curve to the right, said curve having an arc distance of 489.87 feet, a chord distance of 486.45 feet and a chord bearing of S 78° 44' 50" E;

Thence N 89° 30' 10" E a distance of 679.15 feet;

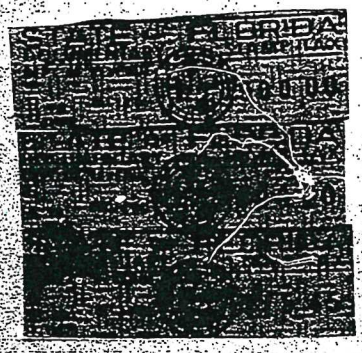
Thence N 00° 00' 09" W a distance of 1354.47 feet to the East ¼ corner of Section 36;

Thence S 89° 12' 34" W a distance of 2638.57 feet;

Thence N 00° 11' 36" E a distance of 2654.52 feet to the North ¼ corner of Section 36;

Thence S 89° 20' 36" W along the Northerly line of Section 36 a distance of 2633.59 feet to the point of beginning.

Containing within its bounds 370.73 acres more or less subject to any and all easements of record.



Prepared by McLean & Gallant
Engineers & Surveyors, Inc.

Norman B. Gallant, P.L.S.
Florida Reg. #1826

EXHIBIT "A"

Detail by Entity Name

Florida Limited Partnership
OAK RUN ASSOCIATES, LTD.

Filing Information

Document Number	A29298
FEI/EIN Number	59-2977066
Date Filed	12/06/1989
State	FL
Status	ACTIVE
Last Event	LP CERTIFICATE OF CORRECTION
Event Date Filed	03/23/2023
Event Effective Date	NONE

Principal Address

31899 Del Obispo Street
Suite 150
San Juan Capistrano, CA 92675

Changed: 03/27/2025

Mailing Address

31899 Del Obispo Street
Suite 150
San Juan Capistrano, CA 92675

Changed: 03/27/2025

Registered Agent Name & Address

REGISTERED AGENT SOLUTIONS, INC.
2894 REMINGTON GREEN LN STE A
TALLAHASSEE, FL 32308

Name Changed: 08/06/2024

Address Changed: 08/06/2024

General Partner Detail

Name & Address

Document Number J17866

DEVELOPMENT & CONSTRUCTION CORP. OF AMERIC
31899 Del Obispo Street
Suite 150
San Juan Capistrano, CA 92675

Annual Reports

Report Year	Filed Date
2023	02/15/2023
2024	03/26/2024
2025	03/27/2025

Document Images

03/27/2025 -- ANNUAL REPORT	View image in PDF format
08/06/2024 -- Reg. Agent Change	View image in PDF format
03/26/2024 -- ANNUAL REPORT	View image in PDF format
03/23/2023 -- LP Statement of Corr.	View image in PDF format
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04/07/2022 -- ANNUAL REPORT	View image in PDF format
03/15/2021 -- ANNUAL REPORT	View image in PDF format
03/20/2020 -- ANNUAL REPORT	View image in PDF format
07/05/2019 -- Reg. Agent Change	View image in PDF format
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04/07/2017 -- ANNUAL REPORT	View image in PDF format
04/12/2016 -- ANNUAL REPORT	View image in PDF format
03/05/2015 -- ANNUAL REPORT	View image in PDF format
04/04/2014 -- ANNUAL REPORT	View image in PDF format
04/12/2013 -- ANNUAL REPORT	View image in PDF format
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04/18/2005 -- ANNUAL REPORT	View image in PDF format
03/12/2004 -- ANNUAL REPORT	View image in PDF format
04/09/2003 -- ANNUAL REPORT	View image in PDF format
04/12/2002 -- ANNUAL REPORT	View image in PDF format
04/10/2001 -- ANNUAL REPORT	View image in PDF format
03/17/2000 -- ANNUAL REPORT	View image in PDF format
05/21/1999 -- Reg. Agent Change	View image in PDF format
11/09/1998 -- ANNUAL REPORT	View image in PDF format
11/03/1997 -- ANNUAL REPORT	View image in PDF format
10/02/1996 -- ANNUAL REPORT	View image in PDF format
12/06/1989 -- Filings Prior to 1996	View image in PDF format

Florida Department of State, Division of Corporations

DIVISION OF CORPORATIONS
297

Sunbiz.org DIVISION of CORPORATIONS an official State of Florida website

Detail by Entity Name

Florida Profit Corporation
DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA

Filing Information

Document Number	J17866
FEI/EIN Number	22-2302101
Date Filed	06/05/1986
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	09/30/2009
Event Effective Date	NONE

Principal Address

31899 Del Obispo Street
Suite 150
San Juan Capistrano, CA 92675

Changed: 03/27/2025

Mailing Address

31899 Del Obispo Street
Suite 150
San Juan Capistrano, CA 92675

Changed: 03/27/2025

Registered Agent Name & Address

REGISTERED AGENT SOLUTIONS, INC.
2894 REMINGTON GREEN LN STE. A
TALLAHASSEE, FL 32308

Name Changed: 07/24/2024

Address Changed: 07/24/2024

Officer/Director Detail

Name & Address

Title President

Miller, Steven
31899 Del Obispo Street
Suite 150
San Juan Capistrano, CA 92675

Title Secretary

Martinson , Bradley C.
31899 Del Obispo Street
Suite 150
San Juan Capistrano, CA 92675

Title Treasurer

Kim, Brian
31899 Del Obispo Street
Suite 150
San Juan Capistrano, CA 92675

Annual Reports

Report Year	Filed Date
2023	02/15/2023
2024	03/26/2024
2025	03/27/2025

Document Images

03/27/2025 -- ANNUAL REPORT	View image in PDF format
07/24/2024 -- Reg. Agent Change	View image in PDF format
03/26/2024 -- ANNUAL REPORT	View image in PDF format
02/15/2023 -- ANNUAL REPORT	View image in PDF format
04/07/2022 -- ANNUAL REPORT	View image in PDF format
06/07/2021 -- Off/Dir Resignation	View image in PDF format
05/17/2021 -- AMENDED ANNUAL REPORT	View image in PDF format
03/15/2021 -- ANNUAL REPORT	View image in PDF format
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02/25/2019 -- ANNUAL REPORT	View image in PDF format
03/13/2018 -- ANNUAL REPORT	View image in PDF format
04/07/2017 -- ANNUAL REPORT	View image in PDF format
04/12/2016 -- ANNUAL REPORT	View image in PDF format
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04/12/2013 -- ANNUAL REPORT	View image in PDF format
03/06/2012 -- ANNUAL REPORT	View image in PDF format
03/15/2011 -- ANNUAL REPORT	View image in PDF format
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11/04/2009 -- ANNUAL REPORT	View image in PDF format
09/30/2009 -- Amendment	View image in PDF format
03/30/2009 -- ANNUAL REPORT	View image in PDF format
03/06/2008 -- ANNUAL REPORT	View image in PDF format
03/22/2007 -- ANNUAL REPORT	View image in PDF format
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04/04/2003 -- ANNUAL REPORT	View image in PDF format
04/21/2002 -- ANNUAL REPORT	View image in PDF format
04/11/2001 -- ANNUAL REPORT	View image in PDF format
04/25/2000 -- ANNUAL REPORT	View image in PDF format
05/17/1999 -- ANNUAL REPORT	View image in PDF format
03/11/1999 -- ANNUAL REPORT	View image in PDF format
03/10/1998 -- ANNUAL REPORT	View image in PDF format
03/24/1997 -- ANNUAL REPORT	View image in PDF format
04/01/1996 -- ANNUAL REPORT	View image in PDF format
02/28/1995 -- ANNUAL REPORT	View image in PDF format

Florida Department of State, Division of Corporations

300

A29298

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

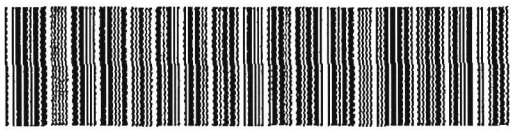
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:
Replacement Certificate, Original microfilmed record has been lost or destroyed.
SM 11/19/2015

Office Use Only



300247487483

DDD/CF0001I

CERTIFICATE OF LIMITED PARTNERSHIP OF OAK RUN ASSOCIATES, LTD.

The undersigned, being all of the General Partners of Oak Run Associates, LTD., a Florida limited partnership, do execute this Certificate, and do hereby affirm, under penalty of perjury, that the facts stated hereinbelow are true:

1. The name of the Limited Partnership is:

OAK RUN ASSOCIATES, LTD., a Florida limited partnership.

FILED
88 DEC -6 AM 11:40
SECRETARY OF STATE
TALLAHASSEE FLORIDA

2. The name and address of the agent for service of process on the Limited Partnership is:

Development & Construction Corporation of America
8865 S.W. 104th Lane
Ocala, FL 32676

3. The name and address of each General Partner is:

Development & Construction Corporation of America
8865 S.W. 104th Lane
Ocala, FL 32676

4. The mailing address for the Limited Partnership is:

8865 S.W. 104th Lane
Ocala, FL 32676

5. The latest date upon which the limited partnership is to dissolve is:

December 31, 2009.

6. This document has been duly executed and is being filed in accordance with Section 620.108 Florida Statutes.

GENERAL PARTNER:
Development & Construction Corporation of America

By: _____
Kulbir Ghuman, President

DDD/AF0001J

AFFIDAVIT OF CAPITAL CONTRIBUTION

BEFORE ME, the undersigned authority, personally appeared Kulbir Ghumman, President, Development & Construction Corp. of America, as General Partner of OAK RUN ASSOCIATES, LTD., a Florida Limited Partnership, hereinafter referred to as the "Partnership", who, upon being duly sworn, certify as follows:

1. The amount of capital contribution of the Limited Partners of the Partnership is: $5,500,000.00 .

2. The anticipated amount of the capital contributions of the Limited Partners that are allocated for the purpose of transacting business in Florida are: $ -0- .

Dated this 1st day of December, 1989.

FURTHER AFFIANT SAYETH NOT.

Under penalties of perjury the undersigned declares that he has read the foregoing and that the facts alleged are true to the best of his knowledge and belief.

FILED
1989 DEC -6 PM 11:40
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

GENERAL PARTNER:
Development & Construction Corporation of America

By: _____
Kulbir Ghumman, President

STATE OF FLORIDA
COUNTY OF MARION

BEFORE ME, the undersigned officer, a Notary Public authorized to administer oaths and to take acknowledgments in and for the State and County set forth above, personally appeared Kulbir Ghumman, Pres., Development & Construction Corp. of America, General Partner of Oak Run Associates, Ltd., a Florida Limited Partnership, known to me and known by me to be the person who executed the foregoing Affidavit of Capital Contribution and he swore to and acknowledged to me and before me that he executed this Affidavit as General Partner of said Limited Partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the State and County aforesaid, this 1st day of December, 1989.

Patricia H. Arnholt
Notary Public
My Commission Expires: 8-12-90

A29298

Oak Run Associates, Ltd
(Requestor's Name)
8845 S.W. 104th Lane
(Address)
Ocala FL 34481
(City, State, Zip) (Phone #)

OFFICE USE ONLY

800001375371
-01/10/95--01115--011
*****52.50 *****52.50

CORPORATION NAME(S) & DOCUMENT NUMBER(S) (if known):

1. _____ (Corporation Name) _____ (Document #)
2. _____ (Corporation Name) _____ (Document #)
3. _____ (Corporation Name) _____ (Document #)
4. _____ (Corporation Name) _____ (Document #)

FILED
1994 DEC 23 AM 9:01
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

☐ Walk in ☐ Pick up time _____ ☐ Certified Copy

☐ Mail out ☐ Will wait ☐ Photocopy ☐ Certificate of Status

A29298

	NEW FILINGS
	Profit
	NonProfit
	Limited Liability
	Domestication
	Other

	AMENDMENTS
	Amendment
	Resignation of R.A., Officer/Director
	Change of Registered Agent
	Dissolution/Withdrawal
	Merger

	OTHER FILINGS
	Annual Report
	Fictitious Name
	Name Reservation

	REGISTRATION/ QUALIFICATION
	Foreign
	Limited Partnership
	Reinstatement
	Trademark
	Other

Examiner's Initials dcc

CR2E031(10/92)

CERTIFICATE OF AMENDMENT

TO

CERTIFICATE OF LIMITED PARTNERSHIP

OF

OAK Run Associates, LTD

(insert name currently on file with Florida Dept. of State)

Pursuant to the provisions of section 620.109, Florida Statutes, this Florida limited partnership, whose certificate was filed with the Florida Department of State on 12-6-89, adopts the following certificate of amendment to its certificate of limited partnership:

FILED
89 DEC 26 AM 9:20
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

FIRST: Amendment(s): (indicate article number(s) being amended, added, or deleted)

Amend General Partner From
H-12489 Development & Construction Corporation of America
TO
J-17866 Development & Construction Corporation of America
Due to Statutory Merger

SECOND: This certificate of amendment shall be effective at the time of its filing with the Florida Department of State.

THIRD: Signature(s)

Signature of current general partner:
Development & Construction Corporation of America.
James A Bell, Sec/Treas.

Signature(s) of new general partner(s), if applicable:
Development & Construction Corporation of America.
James A Bell, Sec./Treas.

File Now! Due on or before January 1, 1990

LIMITED PARTNERSHIP
ANNUAL REPORT

1990

Read Instructions on Other Side Before Making Entries
Filing Fee Required—Make Checks Payable To: Department of State

A29298

OAK RUN ASSOCIATES, LTD.
8865 S.W. 104th Lane
Ocala, Florida 32676

12-6-89 Florida

$5,500,000

FOR FISCAL USE ONLY

59-2977066

Development & Construction Corporation of America	8865 S.W. 104th Lane	Ocala, Florida 32676-

Note: General Partners MAY NOT be changed on this form; an Amendment must be filed to change a General Partner.

REGISTERED AGENT INFORMATION

Development & Construction Corporation of America
8865 S.W. 104th Lane
Ocala, Florida 32676

OFFICE USE ONLY
12-19-89
#250.00

Note: The Registered Agent MAY NOT be changed on this form; an Amendment must be filed.

December 11, 1989

Kulbic Ghuman President (904) 854-6210

Florida Marion

Kulbic Ghuman

11th December 89

3-12-90.

File Now! Due on or before January 1, 1991

LIMITED PARTNERSHIP ANNUAL REPORT 1991

FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State
DIVISION OF CORPORATIONS

DO NOT WRITE IN THIS SPACE
FILED
1990 OCT -9 AM 8:06
CORPORATIONS DIVISION
TALLAHASSEE, FLORIDA

Read Instructions on Other Side Before Making Entries. Filing Fee Required—Make Checks Payable To: Department of State

1. Name and Mailing Address of Limited Partnership

A29298
OAK RUN ASSOCIATES, LTD.
8865 S.W. 104TH LANE
OCALA, FL 32676

If above address is incorrect in any way, enter the address in item 2. Include Zip Code

2. Enter Change of Address of Limited Partnership Mailing Address

Principal Street Address

City

State Zip Code

-10/10/90--000056--001
L/P A/R'S 52.50
LTD PARTNERSHIP
TOTAL FISCAL USE ONLY

3. Date Registered to Do Business in Florida: 12/06/1989

4. State or Country of Formation: FLORIDA

5a. Accepted Capital Contributions as Shown on Records: $5,500,000.00

5b. Actual Amount of Capital Contributions: -0-

6. Filing fee is figured at the rate of $7.00 per thousand on CAPITAL CONTRIBUTION, but in no case shall the amount be less than $52.50 nor more than $437.50. For questions concerning capital contributions or filing fees, please call (904) 487-6056. Please submit your 1991 Annual Report with a remittance of U.S. Dollars payable at par at a financial institution located in the U.S.

7. Federal Employer Identification Number: 59-2977066

8. [ ] FEI Number Applied For [ ] FEI Number Not Applicable

$8.75 Additional Fee Required for a Certificate of Status

CERTIFICATE OF STATUS

9. Name and Business Address of Each General Partner

Name(s) of General Partner(s)	Address of Each General Partner(s) (Do NOT Use Post Office Box Numbers)	City and State
~~DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA~~ Development & Construction Corporation of America	8865 S.W. 104TH LANE	OCALA, FL

10/10/9

Note: General Partners MAY NOT be changed on this form; an Amendment must be filed to change a General Partner.

REGISTERED AGENT INFORMATION

10. Name and Address of Current Registered Agent

DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA
8865 S.W. 104TH LANE
OCALA, FL 32676

11. Name and Address of New Registered Agent

Name

Street Address 1 (Do NOT Use P.O. Box Number)

Street Address 2 (Do NOT Use P.O. Box Number)

City and State: FL

Zip Code

12. Pursuant to the provisions of Sections 620.1021 and 620.192, Florida Statutes, the above-named Limited Partnership was organized or registered under the laws of the State of Florida solely for the purpose of changing its registered office or registered agent, or both, in the State of Florida. Such change was authorized by its General Partner(s).

I hereby accept the appointment of registered agent. I am familiar with, and accept the obligations of Section 620.192, F.S.

SIGNATURE (Registered Agent Accepting Appointment) _____ DATE _____

13. I certify that the information indicated on this annual report is true and accurate and that my signature shall have the same legal effects as if made under oath; I further certify that I am a General Partner of the Limited Partnership or the person or agent empowered to execute this report as required by Chapter 620, F.S.

SIGNATURE X _____ DATE 10-3-90

Typed name of General Partner Signing Form: Kulbir Ghumman

Telephone Number: 904-854-6210

14. STATE OF Florida COUNTY OF Marion

BEFORE ME, this day personally appeared Kulbir Ghumman and being sworn deposes and says that the statements contained in the foregoing Annual Report

are true and correct. Executed before me this 3rd day of October 90

My commission expires: 2-12-91

Notary Public

File Now! Due on or before January 1, 1992

ANNUAL REPORT

1992

APPROVED
AND
FILED

1992 JAN -6 PM 3:14

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

DO NOT WRITE IN THIS SPACE

1. DOCUMENT # A29298

OAK RUN ASSOCIATES, LTD.
8865 S.W. 104TH LANE
OCALA, FL

32676

2.

3. 12/06/1989

4. FLORIDA

5a. $5,500,000.00

5b.

FOR FISCAL USE ONLY

-01/01/92--02112--01
LTD PARTNERSHIP
TOTAL

6.

7. 59-2977066

$10 Additional Fee required for a Certificate of Status

8. Name and Business Address of Each General Partner

DEVELOPMENT & CONSTRUCTI ON CORP OF AMERICA	8865 S.W. 104TH LANE	OCALA, FL

JLC 1/6

Note: General partners MAY NOT be changed on this form; an amendment must be filed to change a general partner.

REGISTERED AGENT INFORMATION

9. Name and Address of Current Registered Agent

DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA
8865 S.W. 104TH LANE
OCALA, FL

32676

10.

FL

11.

12. Development & Construction Corporation of America
By: James A Bell, Secretary

DATE 12/23/91

James A. Bell, Secretary

(904) 854-6210

FLORIDA

MARION

James A. Bell

7th

DECEMBER

91

Carol D. Chamberlain

DUE ON OR BEFORE JANUARY 1, 1993 (NOTE NEW FILING FEE)

APPROVED

1992 DEC 24 AM 8:41

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

LIMITED PARTNERSHIP

ANNUAL REPORT

1993

FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State
DIVISION OF CORPORATIONS

Read Instructions on Other Side Before Making Entries. Filing Fee Required – Make Checks Payable To: Department of State

1. DOCUMENT # A29298

OAK RUN ASSOCIATES, LTD.
8865 SW 104TH LN
OCALA FL 34481

2a. Enter Changes of Mailing Address

City/State/Zip

2b. Enter Principal Place of Business

City/State/Zip

3.	4.	5a.	5b.
12/06/1989	FLORIDA	$5,500,000.00	5,500,000.00

6. THE BASIC ANNUAL REPORT FILING FEE IS FIGURED AT THE RATE OF $7.00 PER THOUSAND ON THE ACTUAL CAPITAL CONTRIBUTION PLUS A SUPPLEMENTAL FEE OF $138.75 PURSUANT TO S.620.193, FLORIDA STATUTES, EFFECTIVE 7/1/92. THE FILING FEE SHALL BE NO LESS THAN $552.50 ($552.50 + $138.75) AND NO MORE THAN $576.25 ($437.50 + $138.75). For questions concerning filing fees, please call (904) 487-6056. Please submit your 1993 annual report with a check in U.S. funds and payable through a U.S. bank.

7. FEI Number: 59-2977068

$12.75 Additional Fee required for a Certificate of Status

CERTIFICATE

REGISTERED AGENT INFORMATION

8. Name and Address of Current Registered Agent

DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA
8865 S.W. 104TH LANE
OCALA, FL 32676

9. New Registered Agent

Name

Street Address (P.O. Box Not Acceptable)

City: FL

10. [illegible] DATE

11. A GENERAL PARTNER THAT IS A CORPORATION OR LIMITED PARTNERSHIP MUST BE REGISTERED AND ACTIVE WITH THIS OFFICE.

Name of General Partner	Address (Cannot be P.O. Box)	City/State	Date of Amendment
DEVELOPMENT & CONSTRU	ON CORP. OF AMERICA 8865 S.W. 104TH LANE	OCALA, FL	H12489

300000108474
-01/11733-0116
****$78.25 ****$78.25
ITEM 12/24/92

Note: General partners MAY NOT be changed on this form; an amendment must be filed to change a general partner.

A General Partner must sign and signature must be notarized with seal requirement.

12. Development and Construction Corporation of America, by:
James A. Bell Sec./Treas. 12/2/92 (904) 854-6210

Development and Construction Corporation of America, by: James A. Bell

James A. Bell

himself

CAROL D. ARMBRUSTER
MY COMMISSION # AA 651581
EXPIRES: February 28, 1993

Carol D. Armbruster

Carol D. Armbruster

1ST NOTICE: DUE ON OR BEFORE DECEMBER 31, 1993

1994

1a. DOCUMENT # A29298

OAK RUN ASSOCIATES, LTD.
8865 S.W. 104TH LANE
OCALA FL 32676 3448 1

2.

3448 1

2a. 8865 S.W. 104TH LANE
OCALA FL 32676 3448 1

3.	3a.	4.	5a.	5b. FLORIDA
12/06/1989	12/24/1992	FL	$5500000.00	5,500,000.00

6. THE ANNUAL REPORT FILING FEE IS FIGURED AT THE RATE OF $1.00 PER THOUSAND ON THE ACTUAL CAPITAL CONTRIBUTION. SUPPLEMENTAL FEE OF $155 IS PURSUANT TO s.607.193 FLORIDA STATUTES EFFECTIVE 7-1-92. [illegible] For questions concerning filing fees, please call (904) 487-6056. Make check your 1994 annual report with a check payable in U.S. funds through a U.S. bank to the Secretary of State.

7. 592977066

REGISTERED AGENT INFORMATION

8. Name and address of Current Registered Agent

DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA
8865 S.W. 104TH LANE
OCALA FL 32676 3448 1

9. [illegible]

FL 3448 1

10.

A GENERAL PARTNER THAT IS A CORPORATION, LIMITED PARTNERSHIP OR OTHER BUSINESS ENTITY MUST BE REGISTERED AND ACTIVE WITH THIS OFFICE.

11a.	11b.	11c.
DEVELOPMENT & CONSTRU	8865 S.W. 104TH LANE OCALA FL	H12489

Note: General partners MAY NOT be changed on this form: an amendment must be filed to change a general partner.

12. [illegible]
Development & Construction Corporation of America
[illegible]

RE0011699

FILE ON OR BEFORE DECEMBER 31, 1995 OR PARTNERSHIP WILL BE SUBJECT TO REVOCATION AND $500 PENALTY FEE

LIMITED PARTNERSHIP ANNUAL REPORT 1996

FLORIDA DEPARTMENT OF STATE
Sandra Mortham
Secretary of State
DIVISION OF CORPORATIONS

FILED
96 JAN 31 PM 2:54
SECRETARY OF STATE
TALLAHASSEE FLORIDA

DO NOT WRITE IN THIS SPACE

1. Name of Limited Partnership

OAK RUN ASSOCIATES, LTD.

1a. DOCUMENT # A29298

2. New Mailing Address, if Applicable

Suite, Apt. #, etc.

City, State & Zip

2a. New Principal Office Address, if Applicable

Suite, Apt. #, etc.

City, State & Zip

Mailing Address
8865 S.W. 104TH LANE
OCALA FL 34481

Principal Office Address
8865 S.W. 104TH LANE
OCALA FL 34481

If any of the above listed addresses are incorrect in any way, line through the incorrect information and enter correct address in Block 2 and/or 2a

3. Date Entered or Registered to Do Business in FLORIDA	3a. Date of Last Report	4. State or Country of Formation
12/06/1989	12/23/1994	FL

5a. Capital Contributions as Shown on Record	5b. Amount of Capital Contributions in FLORIDA to date	6. FEI Number	7. CERTIFICATE OF STATUS REQUIRED
$5,500,000.00	5,500,000.00	59-2977066	Applied For / Not Applicable — $8.75 Additional Fee required for a Certificate of Status

8. FEES: 1) Filing Fee: Computed at a rate of $7 per $1,000 on amount entered in 5b or 5a if 5b blank, with a minimum filing fee of $52.50 and a maximum of $437.50
2) Supplemental Fee: $138.75 (pursuant to section 607.193, F.S.)
THE AMOUNT DUE SHALL BE NO LESS THAN $191.25 ($52.50 + $138.75) AND NO MORE THAN $576.25 ($437.50 + $138.75)
Note: If the amount entered in 5b is greater than amount entered in 5a, a supplemental affidavit must be submitted along with a separate and appropriate filing fee
MAKE CHECK PAYABLE TO FLORIDA DEPT. OF STATE.

9. Name and Address of Current Registered Agent	10. If changed, new Registered Agent/Office
DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA 8865 S.W. 104TH LANE OCALA FL 34481	Name: 600001704786 Street Address (P.O. Box Number is Not Acceptable): 01/03/96--01017--011 ****576.25 ****576.25 Suite, Apt. # etc. City: FL Zip Code

10a. Pursuant to the provisions of section 620.1051 and 620.192, Florida Statutes, the above-named limited partnership organized or registered under the laws of the State of Florida submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. Such change was authorized by its general partner(s). I hereby accept the appointment of registered agent. I am familiar with, and accept the obligations of section 620.192, Florida Statutes.

SIGNATURE of Registered Agent Accepting Appointment _____ DATE _____

A GENERAL PARTNER THAT IS A CORPORATION, LIMITED PARTNERSHIP OR OTHER BUSINESS ENTITY

11. Name(s) of General Partner(s)	11a. Address of Each General Partner (Do NOT Use Post Office Box Number)	11b. City, State & Zip Code	11c. Registration/Document Number
DEVELOPMENT & CONSTRUCTION C	8865 S.W. 104TH LANE	OCALA FL AL- $437.50 SF- $138.75 1-31-96	J17888

Note: General partners MAY NOT be changed on this form; an amendment must be filed to change a general partner.

12. I hereby certify that the information supplied with this filing is true and correct. I am aware that the information given in this certificate may be subject to verification and that false information may subject me to penalties. Whoever knowingly signs any document which is false in any material respect with the intent that such document may be delivered to the Department for filing is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

SIGNATURE Development & Construction Corp. of America
James A. Bell, Treasurer DATE 1-16-96
James A. Bell Treas. 904-854-6310

Jimmy H. Cowan, Jr., CFA

Marion County Property Appraiser

501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card

Real Estate

7000-000-000

GOOGLE Street View

Prime Key: 1931771 MAP IT+ Current as of 5/2/2025

Property Information

M.S.T.U.
PC: 48
Acres: 9.13

OAK RUN ASSOCIATES LTD
8825 SW 110TH ST
OCALA FL 34481-7827

Taxes / Assessments:
Map ID: 114
Millage: 9002 - UNINCORPORATED

More Situs
Situs: 11437 SW 90TH TER OCALA

2024 Certified Value

Land Just Value	$92,213
Buildings	$1,036,384
Miscellaneous	$72,534
Total Just Value	$1,201,131
Total Assessed Value	$1,201,131
Exemptions	$0
Total Taxable	$1,201,131

Ex Codes:

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$92,213	$1,036,384	$72,534	$1,201,131	$1,201,131	$0	$1,201,131
2023	$92,213	$1,102,025	$72,534	$1,266,772	$1,266,772	$0	$1,266,772
2022	$92,213	$1,017,788	$72,534	$1,182,535	$1,174,143	$0	$1,174,143

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
2414/0646	09/1997	43 R-O-W	0	U	V	$100
1255/0266	12/1984	07 WARRANTY	0	U	V	$701,325

Property Description

SEC 35 TWP 16 RGE 20
BEG AT THE SW COR OF TRACT F OF OAK RUN NIEGHBORHOOD 1 PLAT
BOOK X PAGE 100 TH S 00-16-18 W 1168.24 FT MORE OR LESS TO
THE N BDY OF HWY 484 TH E TO THE W BDY OF OAK RUN
NEIGHBORHOOD 8B PLAT BOOK 1 PAGE 86 TH N 00-16-18 E 1168.24
FT TH W 345 FT TO THE POB

Parent Parcel: 35345-000-00

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
4800		345.0	1,153.0	PD16	9.13	AC						

Neighborhood 9902 - COMM ZONING OR LAND USE SW
Mkt: 2 70

Traverse

Building 1 of 5
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UCN02=U7R10D7L10.
MZS03=856.
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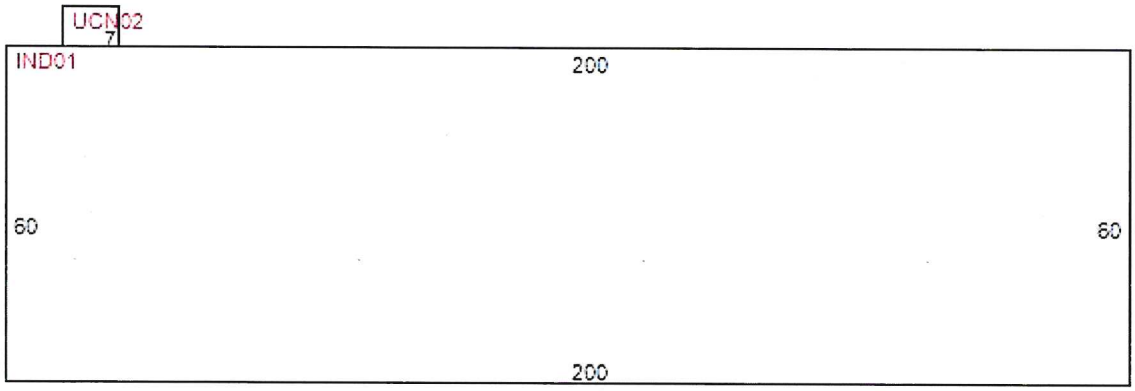


Building Characteristics

Structure	1 - WH STL FR	**Year Built**	1986
Effective Age	5 - 20-24 YRS	**Physical Deterioration**	0%
Condition	3	**Obsolescence: Functional**	0%

313

Quality Grade 500 - FAIR
Inspected on 12/16/2024 by 117

Obsolescence: Locational 0%
Base Perimeter 520

Exterior Wall 18 PREFINISHED MTL

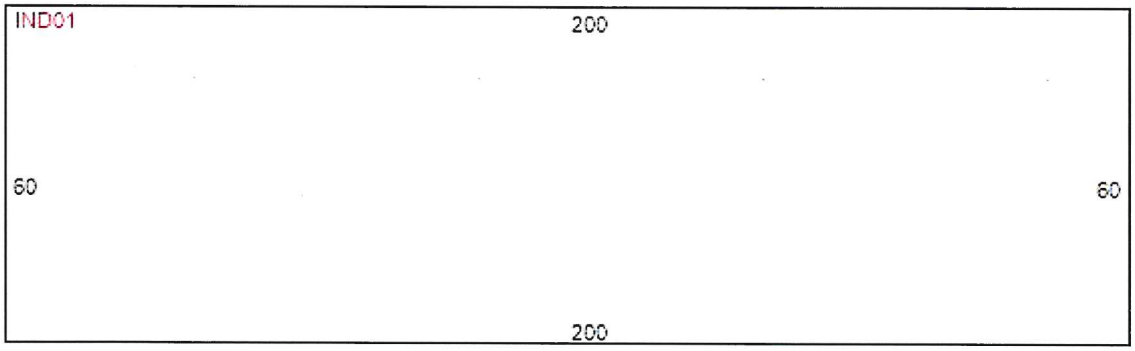
Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	14.0	1.00	1986	0	12,000	F48 WAREHOUSE/DISTRIBUTE	96 %	N	N
						F48 WAREHOUSE/DISTRIBUTE	4 %	N	Y
2	7.0	1.00	1986	0	70	UCN CANOPY UNFIN	100 %	N	N
3	8.0	1.00	1986	0	856	MZS MEZZANINE STOR	100 %	N	N

Section: 1

Elevator Shafts: 0 **Aprtments:** 0 **Kitchens:** 0 **4 Fixture Baths:** 0 **2 Fixture Baths:** 1
Elevator Landings: 0 **Escalators:** 0 **Fireplaces:** 0 **3 Fixture Baths:** 1 **Extra Fixtures:** 4

Traverse

Building 2 of 5
IND01=L200D60R200U60.
MZS02=1972.
1972



Building Characteristics

Structure	1 - WH STL FR	**Year Built**	1986
Effective Age	5 - 20-24 YRS	**Physical Deterioration**	0%
Condition	3	**Obsolescence: Functional**	0%
Quality Grade	500 - FAIR	**Obsolescence: Locational**	0%
Inspected on	12/16/2024 by 117	**Base Perimeter**	520

Exterior Wall 18 PREFINISHED MTL

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	16.0	1.00	1986	0	12,000	F48 WAREHOUSE/DISTRIBUTE	87 %	N	N
						F48 WAREHOUSE/DISTRIBUTE	13 %	N	Y
2	8.0	1.00	1986	0	1,972	MZS MEZZANINE STOR	100 %	N	N

Section: 1

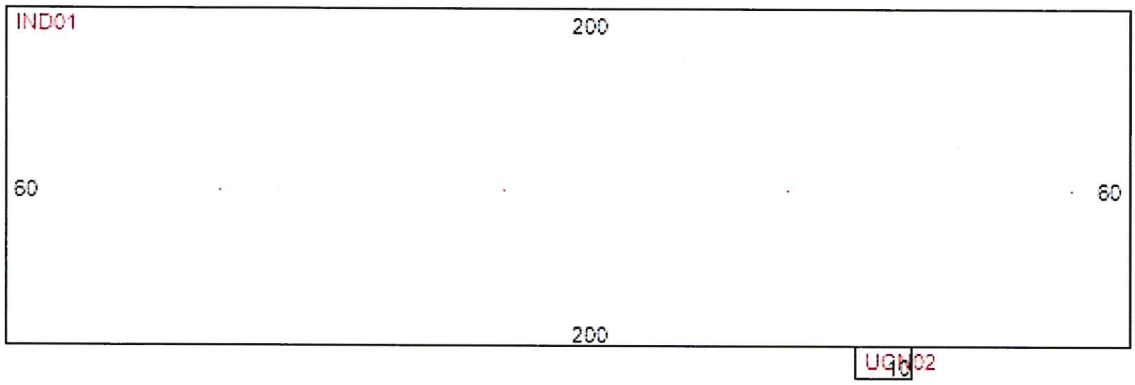
Elevator Shafts: 0	**Aprtments:** 0	**Kitchens:** 0	**4 Fixture Baths:** 0	**2 Fixture Baths:** 0
Elevator Landings: 0	**Escalators:** 0	**Fireplaces:** 0	**3 Fixture Baths:** 0	**Extra Fixtures:** 2

Traverse

Building 3 of 5

IND01=L200D60R200U60.D60L49
UCN02=D6R10U6L10.

MZS03=2254.
2254



Building Characteristics

Structure	1 - WH STL FR	**Year Built**	1986
Effective Age	5 - 20-24 YRS	**Physical Deterioration**	0%
Condition	3	**Obsolescence: Functional**	0%
Quality Grade	500 - FAIR	**Obsolescence: Locational**	0%
Inspected on	12/16/2024 by 117	**Base Perimeter**	520

Exterior Wall 18 PREFINISHED MTL

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	14.0	1.00	1986	0	12,000	F48 WAREHOUSE/DISTRIBUTE	75 %	N	N
						F48 WAREHOUSE/DISTRIBUTE	25 %	N	Y
2	7.0	1.00	1986	0	60	UCN CANOPY UNFIN	100 %	N	N
3	8.0	1.00	1986	0	2,254	MZS MEZZANINE STOR	100 %	N	N

Section: 1

Elevator Shafts: 0	**Aprtments:** 0	**Kitchens:** 0	**4 Fixture Baths:** 0	**2 Fixture Baths:** 1
Elevator Landings: 0	**Escalators:** 0	**Fireplaces:** 0	**3 Fixture Baths:** 1	**Extra Fixtures:** 2

Traverse

Building 4 of 5
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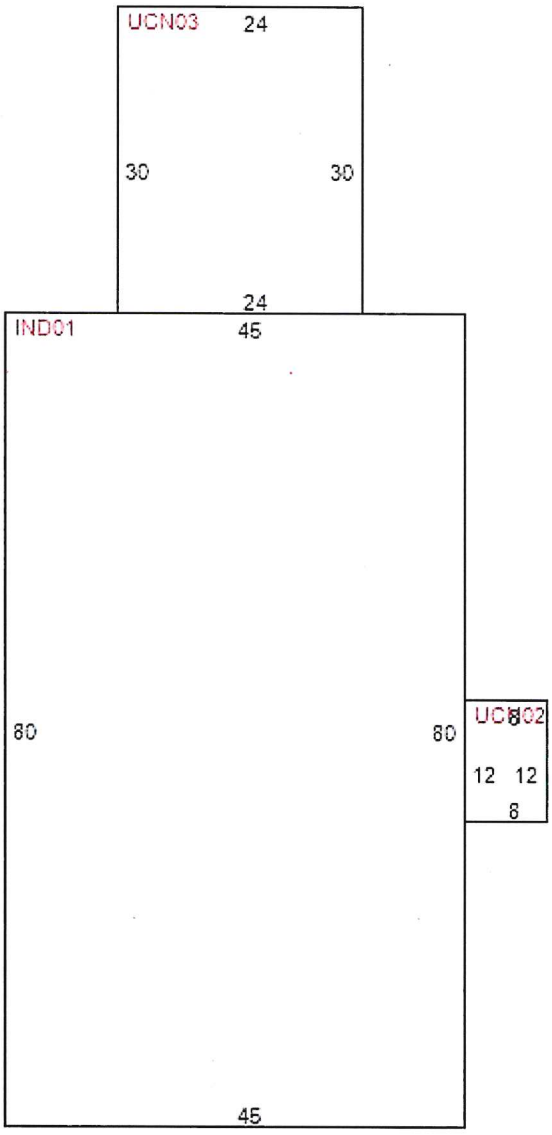
UCN02=R8U12L8D12.U50L10
UCN03=L24U30R24D30.
MZS04=900.
900



Building Characteristics

Structure	1 - WH STL FR	**Year Built**	1986
Effective Age	5 - 20-24 YRS	**Physical Deterioration**	0%
Condition	3	**Obsolescence: Functional**	0%
Quality Grade	500 - FAIR	**Obsolescence: Locational**	0%
Inspected on	12/16/2024 by 117	**Base Perimeter**	250

Exterior Wall 18 PREFINISHED MTL

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	14.0	1.00	1986	0	3,600	G27 AUTO REPAIR	75 %	N	N
						F48 WAREHOUSE/DISTRIBUTE	8 %	N	Y
						F48 WAREHOUSE/DISTRIBUTE	17 %	N	N
2	8.0	1.00	1998	0	96	UCN CANOPY UNFIN	100 %	N	N

3	12.0	1.00	1998	0	720 UCN CANOPY UNFIN	100 %	N	N
4	8.0	1.00	1986	0	900 MZS MEZZANINE STOR	100 %	N	N

Section: 1

Elevator Shafts: 0	**Aprtments:** 0	**Kitchens:** 0	**4 Fixture Baths:** 0	**2 Fixture Baths:** 1
Elevator Landings: 0	**Escalators:** 0	**Fireplaces:** 0	**3 Fixture Baths:** 0	**Extra Fixtures:** 1

Traverse

Building 5 of 5
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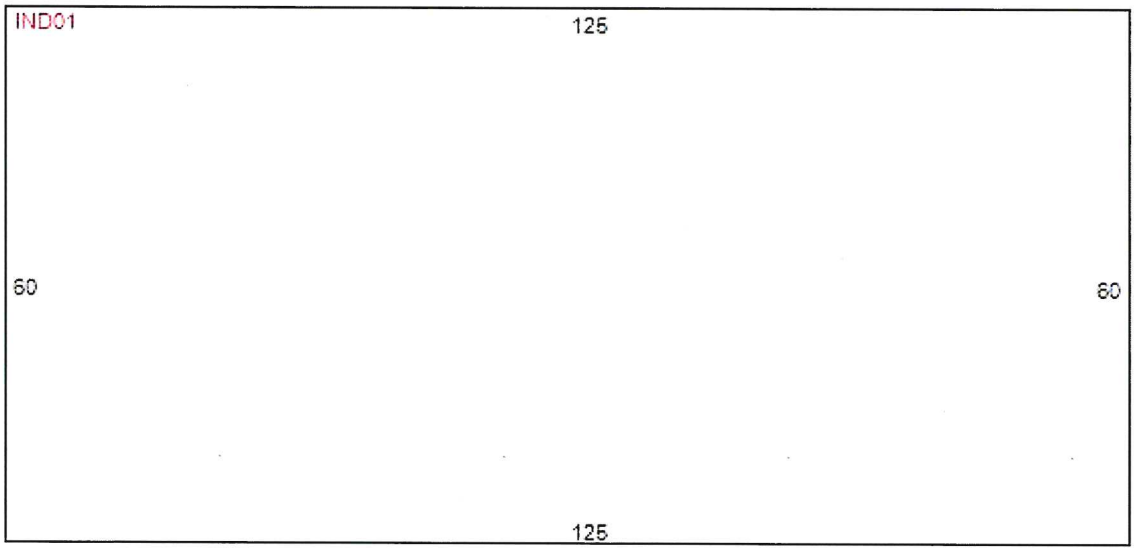


Building Characteristics

Structure	1 - WH STL FR		**Year Built** 1981
Effective Age	3 - 10-14 YRS		**Physical Deterioration** 0%
Condition	4		**Obsolescence: Functional** 0%
Quality Grade	500 - FAIR		**Obsolescence: Locational** 0%
Inspected on	12/16/2024 by 117		**Base Perimeter** 370

Exterior Wall 18 PREFINISHED MTL

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish		Sprinkler	A/C
1	12.0	1.00	1981	0	7,500	F48 WAREHOUSE/DISTRIBUTE	79 %	N	N
						F17 OFFICE	21 %	N	Y

Section: 1

Elevator Shafts: 0 **Aprtments:** 0 **Kitchens:** 0 **4 Fixture Baths:** 0 **2 Fixture Baths:** 2
Elevator Landings: 0 **Escalators:** 0 **Fireplaces:** 0 **3 Fixture Baths:** 0 **Extra Fixtures:** 7

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width
144 PAVING ASPHALT	86,111.00	SF	5	1986	3	0.0	0.0
105 FENCE CHAIN LK	2,598.00	LF	20	1986	3	0.0	0.0
GRH GUARDHOUSE	24.00	SF	40	1986	1	4.0	6.0
048 SHED OPEN	180.00	SF	15	1986	2	18.0	10.0
048 SHED OPEN	240.00	SF	15	1986	2	12.0	20.0
170 LOADING WELL	320.00	SF	20	1986	3	20.0	16.0
170 LOADING WELL	320.00	SF	20	1986	3	20.0	16.0
114 FENCE BOARD	16.00	LF	10	1986	4	0.0	0.0
159 PAV CONCRETE	7,882.00	SF	20	1986	3	0.0	0.0

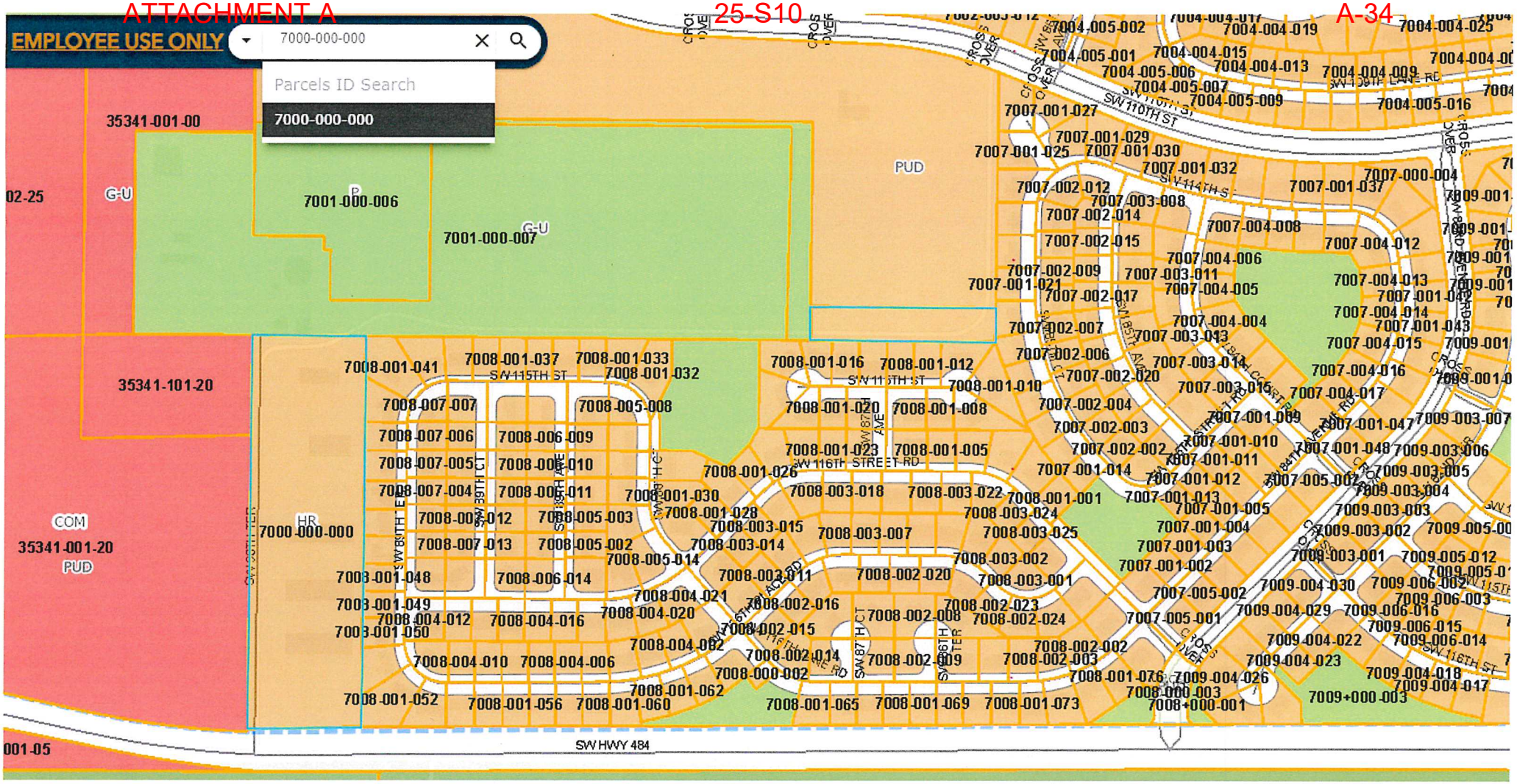
Appraiser Notes

BLDG 1= CABINET SHOP
BLDG 2= ADMINISTRATION AND STORAGE
BLDG 3= CONSUMER SERVICES
BLDG 4= MAINTANCE SHOP
BLDG 5= OAK RUN SUPPORT SERVICES / THATCHER HALL (RENOVATED 2018)

Planning and Building

** Permit Search **

Permit Number	Date Issued	Date Completed	Description
2017091418	4/13/2018	4/13/2018	WAREHOUSE RENOVATION/ REPL SKIN ROOF AND WINDOWS
MA48723	1/1/1992	2/1/1992	SFAL - REST RM CONST OFF.
MA27309	10/1/1989	-	60X125 BLD.(USED)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02-25
G-U
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COM
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PUD
HR
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SW 116TH WAY RD
SW 116TH ST
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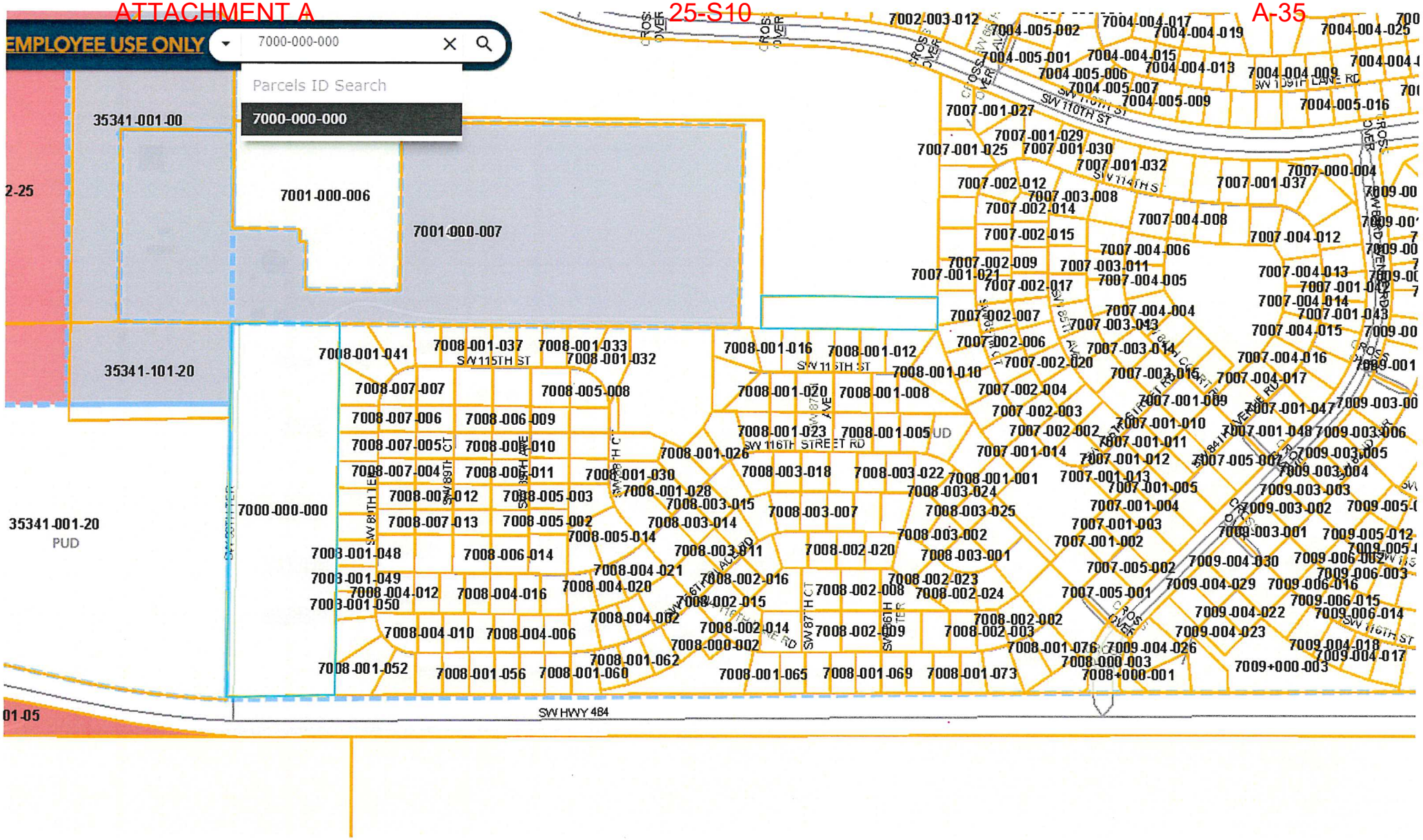
CROSS OVER

ATTACHMENT A 25-S10 A-35



RESOLUTION NO. 86-R-293

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA ADOPTING A DEVELOPMENT ORDER FOR THE OAK RUN DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, on November 22, 1985, Development and Construction Corporation of America (DECCA) on behalf of itself and Chanrai Investments, Inc. (Chanrai), together referred to as the Developers which term also includes the successors and assigns of DECCA and Chanrai, filed a Development of Regional Impact Application for Development Approval (ADA) with the Marion County Board of County Commissioners (Marion County or the County), in accordance with Section 380.06, Florida Statutes (1986); and

WHEREAS, the Developers propose either individually or jointly to develop 4,926 dwelling units on 1,081.1 acres of residential use, 10 acres for institutional use, 30 acres of commercial use, 10 acres of office use, 51 acres of recreation area, 30 acres for a wastewater treatment site, 77 acres of water retention area, 9.5 acres for an interim construction site (to be converted to commercial use after the build-out of the Oak Run Development), and further propose to set aside 40 acres of wildlife reserve and to dedicate approximately 16.4 acres of dedicated road right-of-way on an approximately 1,355 acre site, hereinafter referred to as Oak Run or the development constituting a Residential Development of Regional Impact under Rule 27F-2.073, Florida Administrative Code, on real property located in Marion County and described on the attached Exhibit"A"; and

WHEREAS, the Developers consider themselves responsible members of the corporate business community of Marion County and recognize their responsibilities to the region and further realize the desirability of providing the general public with adequate transportation beyond that which would be required to satisfy their own needs with respect to their property, and

WHEREAS, Developers have indicated their intention to provide additional wildlife reserves and transportation facilities beyond that which they might otherwise be obligated to provide, and

WHEREAS the Board of County Commissioners of Marion County in adopting this Development Order has taken into consideration and accepted the proposed transfers, and

WHEREAS, the Board of County Commissioners, as governing body of the local government having jurisdiction, is authorized and empowered to consider Applications for Development Approval for Developments of Regional Impact; and

WHEREAS, the public notice requirements of Marion County and Section 380.06(10), Florida Statutes (1986), have been satisfied and notice has been given to the Department of Community Affairs, hereinafter referred to as "DCA", and the Withlacoochee Regional Planning Council, hereinafter referred to as "WRPC", initially on June 27, 1986; and

WHEREAS, Marion County has held duly noticed public hearings on the Development of Regional Impact Application for Development Approval, and has heard and considered the testimony and documents received therein; and

WHEREAS, Marion County has received and considered the report and recommendations of the WRPC.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, THAT THE DEVELOPMENT OF REGIONAL IMPACT APPLICATION FOR DEVELOPMENT APPROVAL SUBMITTED BY THE DEVELOPERS IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS, RESTRICTIONS AND AGREEMENTS:

I. FINDINGS OF FACT

A. That the real property which is the subject of the Oak Run Application for Development Approval is legally described as set forth in Exhibit "A", attached hereto and by reference made a part hereof.

B. That the Developers submitted to Marion County an Application for Development Approval, and Sufficiency Responses, together referred to as the Composite ADA, which is attached hereto as Exhibit "B", and by reference made a part hereof, to the extent that it is not inconsistent with the terms and conditions of this Development Order.

C. That the proposed development is not located in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes (1986).

D. That a comprehensive review of the impact generated by the development has been conducted by the County's departments and the WRPC.

E. The development proposal comprises a total 4,926 dwelling units on 1,081.1 acres of residential use, 10 acres for institutional use, 30 acres of commercial use, 10 acres of office use, 51 acres of recreation area, 30 acres for a wastewater treatment site, 77 acres of water retention area, 9.5 acres for an interim construction site (to be converted to commercial use after the build-out of the Oak Run Development), and further comprises the proposed set aside of 40 acres of wildlife reserve and dedication of approximately 16.4 acres of dedicated road right-of-way on an approximately 1,355 acre site to be developed in accordance with the Composite ADA.

II. CONCLUSIONS OF LAW

A. Based on the above Findings of Fact and subject to the provisions of Paragraph B below, it is the opinion of the County that the project is consistent with all local land development regulations and the adopted Local Comprehensive Plan, that this Development Order is consistent with the

report and recommendations of the WRPC, and that the development will not unreasonably interfere with the achievement or objectives of the adopted State Land Development Plan applicable to the area.

B. The provisions of this Development Order shall not be construed as a waiver or exception of any rule, regulation or ordinance of Marion County or its departments, agencies or commissions.

C. This Development Order constitutes final DRI approval of the Oak Run development as described above.

D. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the Developers and the various departments of the County are authorized to conduct development as described herein, subject to the conditions, restrictions and agreements set forth herein.

E. The impacts of the Oak Run development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes (1986), within the terms and conditions of this Development Order and the Composite ADA.

F. The development shall be developed in accordance with all applicable County ordinances, rules, and regulations pertaining to land Development within Marion County, specifically including, but without limitation, subdivision

regulations, land use and zoning regulations, utility ordinances, and any other ordinance regulating developments within Marion County; provided, however, that the development shall be developed to be consistent with and in accordance with this Development Order; and further provided any rights vested prior to or by this development order shall not be affected.

III. CONDITIONS AND AGREEMENTS

The development of Oak Run shall be in conformity with the Provisions of the Composite ADA, except as same may be modified by this Development Order. Unless specifically stated herein, the conditions and agreements set forth in the Development Order shall be in addition to, and not in lieu of, the provisions of the Composite ADA.

A. VEGETATION AND WILDLIFE

In recognition of the magnitude of the impact this development will have on habitat for nongame wildlife species listed as endangered, threatened and species of special concern, the Developers have individually and jointly offered and agreed to the following:

1. DECCA has proposed and hereby agrees to acquire from Chanrai a total of 40 acres to be reserved in perpetuity through recorded restrictive covenants as a wildlife preservation area. This area will include the 25-acre preserve depicted on

Exhibit "F" to the Preliminary Development Agreement entered into between the Developers and DCA on July 23, 1985, referred to hereafter as Tract A, and an additional 15-acre parcel immediately adjacent to the western boundary of Tract A. The northernmost boundary of the additional 15 acre parcel will be the road running along the northernmost boundary of Tract A. The westernmost boundary shall be defined by a line running parallel to the easternmost boundary of Tract A. Together these two parcels will total 40 acres and shall be referred to as the Preserve Area. The 40-acre Preserve Area is in lieu of, not in addition to, the 50 acres of preservation area required in the Preliminary Development Agreement entered into between the Florida Department of Community Affairs and the Developers on July 23, 1985.

2. The Preserve Area may be used for passive recreational purposes provided such use does not impair the Preserve Area's function as a wildlife preserve. DECCA, within 90 days of the effective date of this Development Order, shall submit to the Florida Game & Fresh Water Fish Commission (GFWFC) a management plan detailing the intended use of the Preserve Area which plan shall include provision for a fence around the Preserve Area. DECCA shall comply with all requirements of the GFWFC and shall modify the management plan accordingly.

3. In addition to the foregoing, DECCA has offered, within six months of the effective date of this Development Order, to provide or donate to the GFWFC pursuant to Section 372.12,

Florida Statutes (1986), a warranty deed to 150 acres of property as follows:

(a) The warranty deed shall convey unencumbered title to 150 acres of property with the recording instrument deeding the property to the GFWFC for nongame wildlife management purposes;

(b) The vegetative characteristics shall be representative of a mature longleaf pine-turkey oak-wiregrass association;

(c) The property shall be contiguous with state and/or federal conservation land;

(d) DECCA will give highest priority to sites with a known history of red-cockaded woodpecker utilization;

(e) DECCA will give highest priority to property within Marion County and second priority to property within the WRPC planning area.

Additionally, the six-month time period within which the property shall be conveyed may be extended by Marion County and DCA for good cause shown. Good cause shall be interpreted to include situations beyond the good faith control of DECCA and shall include, but not be limited to delays due to statutory or administrative procedures in accepting the property. The determination of whether the 150 acres meets the above criteria shall be made by the GFWFC.

4. Paragraph 3 above is a condition which DECCA has voluntarily proffered to the County for inclusion in this Development Order and is not to be considered for credit or offset against any impact fees the County may by future ordinance impose against the Oak Run development.

B. WASTEWATER TREATMENT

The Developers shall supply a map to Marion County Engineering Department which indicates the boundaries of each neighborhood within each development phase of the Oak Run development. Documentation shall also be provided by the Developers which indicates the status of all permits applied for and issued by the Florida Department of Environmental Regulation (DER) in accordance with the established neighborhood boundaries within each development phase. As each phase of the develoment progresses, the Developers shall advise the County of all permit applications and proceedings related thereto and shall not object to the County providing comments to the DER or participating in any proceedings.

C. DRAINAGE

The drainage system of the Oak Run development shall comply with the Marion County Public Works Manual.

D. WATER SUPPLY

1. Water conservation measures for the Oak Run development shall include use of water conservation devices as described within

the Water Conservation Act, restrictions of landscape irrigation to the hours between 5:00 p.m. and 9:00 a.m. after the establishment of landscaping, and use of non-potable water sources and/or reuse for irrigation where possible.

2. All water transmission lines for the Oak Run development shall be sized in accordance with the Marion County Master Water Plan as it exists at the time of installation of each particular line.

3. In addition to the permitting requirements of the Southwest Florida Water Management District, the water system for the Oak Run development shall also be designed in accordance with applicable local ordinances of Marion County.

E. FIRE

1. Within 90 days of the effective date of this Development Order, the Developers and the Marion County Public Safety Director shall enter into a plan to address the impacts of the Oak Run development on the fire and rescue resources of the County. This 90-day time period may be extended by mutual written agreement of both parties.

2. The fire and rescue resource plan shall have as its eventual goal over the life of the plan the provision of County fire services within a reasonable, average response time and the

provision of County rescue services within a three-minute average response time.

3. Any contributions by the Developers of funds, equipment, or real property required pursuant to the fire and rescue resource plan may be credited or offset against any fire and/or rescue impact fees the County may impose by future ordinance against the Oak Run development in accordance with Subsection 380.06(16), Florida Statutes (1986) or any other applicable statutes, ordinances or regulations.

4. Failure of the Developers and Marion County Public Safety Director to timely enter into the above plan shall trigger substantial deviation review pursuant to Paragraph I(7)(a) herein.

F. TRANSPORTATION

Exhibit "C", attached hereto, contains a schedule through completion of the Oak Run development which addresses the construction of those public transportation facilities currently deemed necessary for maintenance of acceptable levels of service on substantially impacted regionally significant roadways.

1. The Developers shall pay a voluntary impact fee based on the total fair share contribution attributed to Oak Run for transportation impacts to the regionally significant roadways. This fee is based on $455 per housing unit, $231 per

congregate care bed and $8.78 per square foot of commercial and office gross leasable area. The impact fee shall be paid at the time of issuance of each certificate of occupancy and shall be paid to Marion County to be used for improvements to the impacted regionally significant road network as described in Exhibit "C". Marion County shall use said monies to cooperate with the Florida Department of Transportation (FDOT) in moving improvements to SR-200 forward in FDOT's 5-year work program and to put into place the signalization referred to in Exhibit "C", Phase I. Within 10 days after the effective date of this Development Order, Developers shall pay Marion County an amount calculated using the aforementioned rate for each certificate of occupancy issued prior to and including the effective date of this Development Order.

DECCA may proceed to complete Phase I of Oak Run as described in Exhibit "B". In the event the traffic improvements described in Exhibit "C", Phase I, are not actually in place by the time the Developers receive occupancy permits for 1,890 dwelling units and 200 congregate care beds or by December 31, 1991 whichever comes later, the County shall not issue any further building permits or certificates of occupancy for any improvements located within or on the property described in Exhibit "A". In the event the required traffic improvements are in place, the Developers shall proceed pursuant to Paragraphs 3 and 4 below.

2. If Marion County implements an impact fee ordinance for transportation improvements, the voluntary impact fee in Paragraph 1 above shall cease and the Developers shall pay impact fees in accordance with the adopted impact fee ordinance. Credit will be given to the Developers in accordance with Subsection 380.06(16), Florida Statutes (1986) or any other applicable statutes, ordinances and regulations.

3. Prior to the initiation of any development activity in Phase II, the Developers shall conduct a trip generation/ distribution study. The study area shall be limited to roadway segments and intersections identified in Exhibit "C". The results of these studies shall be forwarded to Marion County, WRPC, DCA and the FDOT for approval.

The purpose of the studies shall be to determine:

(a) If any improvements, in addition to those specified in Exhibit "C", are necessary to maintain designated acceptable levels of service in the project impact area. Designated acceptable levels of service are LOS D peak hour for SR 200 north of CR 484, LOS D peak hour for SR 200 south of CR 484, and LOS C peak hour for CR 484. If Marion County adopts levels of service for the roadways identified in Exhibit "C" in its approved comprehensive plan pursuant to Chapter 163, Florida Statutes (1986), the designated acceptable levels of service for the Oak Run development shall conform to those in the comprehensive plan.

(b) Whether the Developers' share of cost improvements has changed from what is indicated in this Development Order.

(c) When the level of service of roadways and key intersections in the project impact areas is estimated to exceed the designated acceptable levels of service.

4. On the basis of the trip generation/distribution studies and prior to commencement of Phase II, the Developers shall supply to Marion County, WRPC, DCA and FDOT a proposal for funding the construction of the required improvements. Such proposal shall specify the amount of funding necessary for the required construction of improvements, identify the proposed sources of funds, and identify the agreements necessary to implement the proposal. Upon agreement of the various parties, a final plan shall be prepared and approved by the respective parties.

5. Marion County shall not issue any building permits or certificates of occupancy for any development within Phase II until such time as the County, WRPC, DCA, FDOT and the Developers have entered into the necessary agreements to implement the final approved plan described in Paragraph 4 above.

6. The process described in Paragraphs 3, 4 and 5 above shall be repeated for Phase III and again for Phase IV.

7. The cost of the access improvements listed in Exhibit "D" shall be born solely by the Developers.

8. DECCA shall be required to dedicate 25 feet of additional right-of-way adjacent to CR 484 along the southerly boundary of the development from the southwest corner of the development to a point where CR 484 turns southerly; and 75 feet of right-of-way shall be dedicated from this point easterly to the proposed right-of-way for S.W. 80th Avenue. The deed for right-of-way dedication shall contain a reverter clause in case Marion County does not utilize the dedicated land for improvements to CR 484. The fair market value of the right-of-way at the time of transfer may be credited or applied against the voluntary impact fee to be paid or any impact fee to be paid pursuant to ordinance. The fair market value shall be determined at the time of contribution and shall be equal to an amount either agreed to by DECCA and the County or, if the parties are unable to agree, each party shall select an appraiser to value the property transferred and if there is less than a 10% difference in the appraisals, the fair market value shall be the average of the two appraisals. If there is a greater difference, the two appraisers shall select a third appraiser to value the property to be transferred, whose determination shall be binding on the parties, provided that the third appraiser's determination is not more or less than the other two appraisals. In that event, the fair market value shall be the average of all three appraisals. Each appraiser selected

shall be a member in good standing of a nationally recognized appraisal organization such as SREA or MAI.

9. DECCA has offered and agreed to dedicate the necessary right-of-way for S.W. 80th Avenue as determined through the PUD approval process. DECCA shall be responsible for dedicating the right-of-way for S.W. 80th Avenue which lies adjacent to and through this development. A portion of this right-of-way is 75 feet wide and represents one half of a 150-foot right-of-way and the other portion of this right-of-way is the full 150-foot width.

G. ANNUAL REPORT

By January 31st of each year following the issuance of this Development Order and until such time as completion of all development, the Developers shall provide an Annual Report as required in Subsection 380.06(18), Florida Statutes (1986). Requirements for the content and dissemination of this report shall be as follows:

1. Dissemination:

   (a) The Annual Report shall be sent to the following agencies: Marion County Department of Planning and Development, or any successor thereto; WRPC; DCA or any successor thereto; and other agencies as may be appropriate.

(b) By January 31st of each year, the Developers shall provide Marion County with a list of all persons and agencies receiving a copy of the Annual Report.

2. Content:

The Developers shall include the following information in the Annual Report:

(a) Changes in the plan of development or phasing for the reporting year and for the next year;

(b) A summary comparison of development activity proposed and actually conducted for the year;

(c) Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developers;

(d) Identification and intended use of lands purchased, leased or optioned by the Developers adjacent to the original DRI site since the development order was issued;

(e) An assessment of the development's and local government's compliance with conditions of approval contained in the DRI development order;

(f) Any known incremental DRI applications for development approval or requests for a substantial deviation

determination that were filed in the reporting year and to be filed during the next year;

(g) An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;

(h) A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;

(i) A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(18), Florida Statutes (1986); and

(j) A copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the development pursuant to Subsection 380.06(15)(f), Florida Statutes (1986).

H. MONITORING

1. The County Administrator or authorized designees shall be responsible for insuring compliance with this Development Order.

2. Data necessary for monitoring shall be generated by building permits, certificates of occupancy, approval of plats and

offering statements, the annual report and on-site observations.

3. Enforcement of the terms of this Development Order shall be through such means as are authorized and envisioned by Chapter 380, Florida Statutes (1986), and through Marion County Development Regulations, including but not limited to plat approval, building permits, utility hookups and certificates of occupancy. The County may also cease inspection of ongoing construction until the Developers comply with the terms of this Development Order. Provided however, that, except as to matters involving immediate threats to the public health, safety or welfare, prior to proceeding under the above enforcement authority, the County shall first notify the Developers in writing with respect to any alleged violation of the terms of this Development Order and the Developers shall have 5 days from receipt of said notice to either cure said alleged violation or explain in writing why they believe they are not in violation of this Development Order. In the event that the alleged violation cannot be settled between Developers and the County Administrator or authorized designees responsible for insuring compliance with this Development Order, the issue shall be placed before the Marion County Board of County Commissioners at its next regularly scheduled meeting and the necessity for enforcement shall be determined at that time. Provided further that nothing contained herein shall preclude the County from taking

whatever legal action it may deem appropriate including, but not limited to, seeking injunctive relief.

I. GENERAL TERMS AND CONDITIONS

1. This Order shall constitute the Development Order of Marion County in response to the Development of Regional Impact Application for Development Approval filed by the Developers.

2. The definitions found in Chapter 380, Florida Statutes (1986), shall apply to this Development Order.

3. This Development Order shall be binding upon the Developers and their heirs, assignees, or successors in interest and inure to the benefit of the Developers' assigns, successors in interest or transferees of the property described in Exhibit "A".

4. In the event any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order, which shall remain in full force and effect.

5. A certified true copy of this Development Order shall be filed and recorded in the Public Records of Marion County, Florida, in accordance with Subsection 380.06(15), Florida Statutes

(1986), and this Development Order shall govern the development of Oak Run.

6. Marion County agrees that the approved development of regional impact shall not be subject to down zoning, density reduction, or intensity reduction after the effective date of the Development Order, unless Marion County can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the Developers, or that the change is clearly established by Marion County to be essential to the public health, safety or welfare.

7. Further review pursuant to Chapter 380, may be required if a substantial deviation, as defined in Subsection 380.06(19), Florida Statutes (1986), occurs. The Developers shall be given due notice of, and an opportunity to be heard at any hearing to determine whether or not a proposed change to the development is a substantial deviation. Substantial deviation may occur by failure to comply with the conditions herein or failure to follow the plans and specifications submitted in the Composite ADA.

Substantial changes to the approved plan of development shall be considered as additional regional impact and shall constitute a substantial deviation and shall cause the

development to be subject to further development-of-regional impact review. Substantial changes include, but are not limited to:

(a) An increase in land area for office development by 5 percent or 6 acres, whichever is greater, or an increase of gross floor area of office development by 5 percent or 60,000 gross square feet, whichever is greater.

(b) An increase in the number of dwelling units by 5 percent or 50 dwelling units, whichever is greater.

(c) An increase in commercial development by 6 acres of land area, or by 50,000 square feet of gross floor area, or of parking space provided for customers for 300 cars or 5 percent, whichever is greater.

(d) A decrease in the areas set aside for open space of 5 percent or 20 acres, whichever is less.

(e) Net changes to two or more types of development which cumulatively meet or exceed 100 percent of the criteria set forth herein.

(f) A 15 percent increase in the number of external vehicle trips generated by the development above that which was projected during the original development-of-regional impact review.

(g) A change proposed for 15 percent or more of acreage of the approved development of regional impact to a land use not previously approved in the Development Order.

(h) Any change which would result in development of any area which was specifically set aside in the Application for Development Approval or in the Development Order for preservation, buffers, or special protection, including habitat for plant and animal species, archaeological and historical sites, dunes and other such special areas.

(i) An extension of the date of build-out of a development by 5 or more years shall be presumed to create a substantial deviation subject to further development-of-regional impact review.

(j) Any change in the proposed occupancy of the development which would place children in the public schools of Marion County.

8. This Development Order shall become effective upon its adoption, provided, however, that filing of a notice of appeal pursuant to Section 380.07, Florida Statutes (1986), will stay the effectiveness of this Development Order. Developers must begin construction no later than 1 year after the date of this Order. This Development Order will expire on December 31, 2008.

9. Copies of this Development Order shall be transmitted immediately by certified mail to DCA, WRPC, and the Developers.

10. Developers have designated Planning & Engineering Resources, Inc. as its resident agent for purposes of this Development Order. Any change to this designation must be made in writing and provided by certified mail to the County in order to be effective.

11. Wherever, in this Development Order, a condition or agreement has been designated as the responsibility of one Developer, it is intended that the other Developer shall have equal responsibility, obligations and liability with respect to said condition or agreement.

12. It is further understood that all of the transfers which are specified herein and which are the basis upon which this Development Order is being executed are applicable to the development of the property owned by DECCA, irrespective of any future development of the property owned by Chanrai. Nothing in this Paragraph shall be construed to relieve either DECCA or Chanrai of any of the requirements or conditions of the Composite ADA or this Development Order.

13. The Development Order has referred to the entire development as the Oak Run development. Such reference shall not preclude either DECCA or Chanrai from separately developing each phase

under one or more names other than Oak Run as long as all other conditions of this Development Order are met.

ADOPTED, in Regular Session this 21st day of October, 1986, by the Marion County Board of County Commissioners.

MARION COUNTY
BOARD OF COUNTY COMMISSIONERS

ATTEST: Frances E. Thigpin
Clerk
Frances E. Thigpin

BY: Steve H. Gilman, M.D.
Chairman
Steve H. Gilman, M. D.

EXHIBITS

Exhibit "A"	-	Legal Description of 1,355 acres
Exhibit "B"	-	ADA and Sufficiency Responses
Exhibit "C"	-	Schedule of Transportation Improvements to Regional Roadways
Exhibit "D"	-	Oak Run Access Improvements

EXHIBIT "A"

APPLICANT

Development and Construction Corporation of America (DECCA)
8865 S.W. 104th Lane
Ocala, Florida 32676
(904) 854-6210

AUTHORIZED AGENT

Jackson E. Sullivan
Planning & Engineering Resources, Inc.
P. O. Box 2019
1515 E. Silver Springs Blvd., Suite N-210
Ocala, Florida 32678
(904) 629-0211

NAMES AND ADDRESSES OF ALL PERSONS HAVING A FEE SIMPLE OR LESSER ESTATE IN THE SITE

Development and Construction Corporation of America (DECCA)
8865 S.W. 104th Lane
Ocala, Florida 32676

Chanrai Investments, Inc.
c/o Tom Allen
359 Carolina Avenue
P. O. Box 1570
Winter Park, Florida 32790

LEGAL DESCRIPTION OF THE DEVELOPMENT SITE

Parcel No. C-1:

A parcel of land situated in Sections 35 and 36, Township 16 South, Range 20 East, Marion County, Florida, and being more particularly described as follows:

Beginning at the Northeast corner of Section 35 and the Northwest corner of Section 36, run thence S.89°16'55"W. along the North line of Section 35, 1542.52 ft. to a point in the Southeasterly r/w line of State Road 200; thence S.41°39'25"W. along said r/w line a distance of 300 ft.; thence S.51°36'26"E. a distance of 1727.49 ft.; thence S.00°16'18"W. a distance of 2571.56 ft. to a point in the Northerly r/w of County Road No. 484; thence along said r/w line along a curve to the left, said curve having an arc distance of 132.50 ft. a chord distance of 132.48 ft. and a chord bearing of S.89°07'58"E.; thence continue along said Northerly r/w line N.89°31'18"E. a distance of 4374.34 ft.; thence along said r/w line along a curve to the right, said curve having an arc distance of 489.87 ft., a chord distance

of 486.45 ft. and a chord bearing of S.78°44'50"E.; thence N.89°30'10"E. a distance of 679.15 ft.; thence N.00°00'09"W. a distance of 1354.47 ft. to the East 1/4 corner of Section 36; thence S.89°12'34"W. a distance of 2638.57 ft.; thence N.00°11'36"E. a distance of 2654.52 ft. to the North 1/4 corner of Section 36; thence S.89°20'36"W. along the Northerly line of Section 36 a distance of 2633.59 ft. to the Point of Beginning. Containing within its bounds 370.55 acres more or less.
Subject to all easements, right of way and restrictions of record, if any.

Parcel No.C-2:

A parcel of land situated in Sec. 36, Twp. 16S., Rge. 20E., Marion County, Florida, said parcel being the NE 1/4 of Section 36 and being more particularly described as follows:

Beginning at the N.E. corner of Section 36, run thence S.00°07'11"W. along the East line of Section 36 a distance of 2647.38 ft. to the East 1/4 corner; thence S.89°12'34"W. along the South line of the NE 1/4 a distance of 2638.57 ft.; thence N.00°11'36"E. along the West line of the NE 1/4 a distance of 2654.52 ft. to the North 1/4 corner; thence N.89°21'48"E. along the North line of Section 36 a distance of 2635.05 ft. to the P.O.B.
Containing within said bounds 160.45 acres, more or less.
Subject to all easements, rights of way and restrictions of records.

PARCEL "A": A parcel of land lying in Sec. 30, 31 and 32, Twp. 16 S., Rge. 21 E., Marion County, Fla. described as follows: Begin at the N.W. corner of said Section 32 for the Point of Beginning and run N. 89°51'41"E. along the Northerly boundary line of said Section 32, a distance of 2551.57 ft. to a concrete monument; thence S.0°15'53"W., 1634.06 ft. to a point intersecting the Northerly r/w line of Aqueduct Boulevard of Kingsland County Estates, Forest Glenn Subdivision, as recorded in Plat Book "P", Pages 1 through 9 of the Public Records of Marion County, Fla. leaving said line run S.10°38'56"E., 80.00 ft. to the P.C. of a curve intersecting the Southerly r/w line of Aqueduct Blvd. and Westerly r/w line of Villamor Dr. of said subdivision, remaining with said westerly r/w line run the following 6 (six) courses; thence Southeasterly along the arc of a curve concave Southwesterly and having a radius of 25.00 ft. through a central angle of 89°59'59" an arc distance of 39.27 ft. to the end of said curve; thence S.10°38'56"E., 1108.52 ft. to the beginning of a curve concave Northeasterly and having a radius of 850.00 ft.; thence Southeasterly along the arc of said curve, through a central angle of 57°24'46" a distance of 851.74 ft. to the

end of said curve; thence S.68°03'42"E., 319.52 ft. to the beginning of a curve concave Southwesterly and having a radius of 570.00 ft.; thence Southeasterly along the arc of said curve through a central angle of 47°42'05" a distance of 474.55 ft. to the end of said curve; thence S.20°21'37"E., 83.19 ft. to a P.R.M.; thence leaving said r/w run S.89°50'05"W., 1320.83 ft. to a concrete monument; thence S.89°50'39"W., 2648.50 ft. to the West line of said Section 32; thence N.89°45'26"W., 2651.65 ft. to a concrete monument; thence N.89°44'49"W., 2786.10 ft. to the West line of said Section 31; thence N.0°00'09"W., 1354.47 ft. to the West 1/4 Corner of said Section 31; thence N.0°07'11"E. along the West line of said Section 31, a distance of 946.84 ft.; thence S.89°32'27"E., 4086.44 ft. to a concrete monument marked R.L.S.2311; thence N.0°27'26"E. 3193.99 ft. to a concrete monument marked R.L.S.2311; thence S.89°22'41"W., 233.74 ft.; thence N.0°06'07"E., 868.83 ft. to the Southerly line of the 100 ft. wide r/w of Hialeah Blvd., as described in O.R.Bk. 977, Pages 446 to 453, inclusive, Public Records of Marion County, Fla.; thence Easterly along said Southerly r/w the following (5) five courses S.74°58'53"E., 146.74 ft. to the beginning of a curve concave Northerly and having a radius of 868.45 ft.; thence Easterly along the arc of said curve through a central angle of 10°44'37" a distance of 162.84 ft. to the end of said curve; thence S.85°43'30"E., 1277.36 ft. to the beginning of a curve concave Northerly and having a radius of 622.28 ft.; thence Easterly along the arc of said curve through a central angle of 0°34'00" a distance of 6.15 ft. to the end of said curve; thence S.86°17'30"E., 1.66 ft. to the East line of said Section 30; thence S.0°04'09"W. along the East line of said Section 30, a distance of 2208.65 ft. to the Point of Beginning. Containing 670.87 Ac.

PARCEL C-1: A parcel of land lying in Sec. 25, Twp. 16 S., Rge. 20 E., Marion County, Fla. described as follows: Begin at the S.W. corner of said Sec. 25, run thence N.0°04'55"W., 1711.33 feet to the Southeasterly r/w of St. Rd. 200, said r/w being 50 feet from when measured at right angles to the centerline of said road; thence N.41°39'48"E., along said r/w 298.53 ft.; thence S.48°20'12"E., 660.0 ft.; thence N.41°39'48"E., 330.00 ft.; thence S.48°20'12"E., 948.89 ft.; thence N.89°17'35"E., 3652.66 ft. to the East line of said Section 25; thence S.0°04'21"W. along said line to the Southeast corner of said Section 25; thence S.89°21'48"W., 2635.05 ft. to the South 1/4 corner of said Section 25; thence S.89°20'36"W., 2633.59 ft. to the Point of Beginning Containing 150.47 Acres.

All of the above subject to all easements, rights of way and restrictions of record, if any.

EXHIBIT C : SCHEDULE OF ROADWAY IMPROVEMENTS

Improvement Needed	Date Needed	Party Responsible	Cost of Improvement	Oak Run Fair Share	Desired LOS
PHASE I 1986-1991					
1.4-Ln SR 200 I-75 to SW 66	1990	FDOT	$5,200,000	$208,000	D - Existing LOS at time of ADA
2. Sgnlze Intr sctn of SR 200 /SW 80th Ave.	1989	FDOT/Marion County	30,000	5,700	C/D Peak Hour
3. Sgnlze Intr sctn of SR 200 /CR 484	1987	FDOT/Marion County	30,000	3,300	C/D
PHASE II & III 1992 - 1997					
1. 4-Ln SR200					
a.SW66/SW80	1993	FDOT	2,600,000	312,000	C/D
b.SW80/SW105	1993	FDOT	1,950,000	175,500	C/D
c.SW105/CR484	1993	FDOT	1,950,000	214,500	C/D
2. Intrsctn Imprvmnt SR200/ CR484 for separate SB left turn	1992	FDOT/Marion County	13,000	2,340	C/D
3. Intrsctn Imprvmnt SR200/ CR484 for WB lft trn ln and NB lft trn ln	1994	FDOT/Marion County	26,000	6,500	C/D

EXHIBIT C : SCHEDULE OF ROADWAY IMPROVEMENTS

Improvement Needed	Date Needed	Party Responsible	Cost of Improvement	Oak Run Fair Share	Desired LOS
PHASE IV 1998-2003					
1.SR200 4 lane frm CR484 to 1 mile south	2002	FDOT	2,600,000	468,000	C/D
2.SR200 6 lane					
a. SW80/66th	1999	FDOT	2,600,000	702,000	C/D
b. SW66/I-75	1998	FDOT	5,200,000	364,000	C/D
3.CR484 4 lane frm SR200 to east proj.entr.	2000	Marion Cty	1,300,000	221,000	C
4.CR484 4 lane					
a.SR200 w.1mi	2001	Marion Cty.	2,600,000	312,000	C
b. Mrn Ok/I-75	1999		1,300,000	39,000	C
5.Int.Imp.SR 200/CR484,EB l.& r.trn lns WB & NB r. trn lns	1998	FDOT/Marion County	52,000	13,000	C/D
6.Int.Imp.CR 484/SW80,NB lft trn ln	1998	Marion Cty.	13,000	5,590	C
7.Int.Imp.SR 200/SW80, NB r.trn.ln.,EB& WB l.& r. trn lns.	1998	FDOT/Marion County	65,000	26,650	C/D
TOTAL COST			27,529,000	3,079,080	

EXHIBIT "D" SCHEDULE OF SITE ACCESS IMPROVEMENTS

Intersection	Improvement	Estimated Cost
- SR-200/North Entrance	- SB left turn storage	$25,000
	- NB right turn deceleration lane	$15,000
	- Separate right and left turn lanes on site	$40,000
	- Dual lanes ingressing the site	$30,000
	- Signalization	$30,000
- SR-200/South Entrance	- SB left turn storage	$25,000
	- NB right turn storage	$15,000
	- Separate right and left turn lanes on site	$40,000
	- Dual lanes ingressing the site	$30,000
	- Signalization	$30,000
- CR-484/Project Entrance	- Separate SB right turn lane	$15,000 *
	- Separate WB right turn lane	$15,000 *
- CR-484/Project Entrance	- Separate SB right turn lane	$15,000 *
	- Separate WB right turn lane	$15,000 *
- S.W.-80th/Site Entrance	- Signalization	$30,000
TOTAL		$370,000

* The need for these improvements will be studied at the end of each phase to determine if sufficient traffic is present or projected to warrant installation.

ORIGINAL EXHIBIT "B"

COMPOSITE ADA

Oak Run DRI File drawer

FILED IN ~~BOOKCASE IN FRONT HALLWAY COMING INTO CLERK'S COMMISSION RECORDS OFFICE~~.

(LARGE BOOKLET ENTITLED: OAK RUN
A DEVELOPMENT OF REGIONAL IMPACT
MARION COUNTY, FLORIDA)

PLAT BOOK 1 PAGE 86

OAK RUN NEIGHBORHOOD 8-B

SHEET 1 OF 6

SECTIONS 35 AND 36, TOWNSHIP 16 SOUTH, RANGE 20 EAST
MARION COUNTY, FLORIDA

KNOW ALL MEN BY THESE PRESENTS:

THAT DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA, A FLORIDA CORPORATION, HEREINAFTER REFERRED TO AS "DEDICATOR", HAS CAUSED TO BE MADE THE ATTACHED PLAT OF OAK RUN, NEIGHBORHOOD 8-B, SUBDIVISION OF THE LAND HEREIN DESCRIBED, THAT THE STREET RIGHT-OF-WAY EASEMENTS DESIGNATED HEREON SHALL BE AND REMAIN PRIVATE PROPERTY IN WHICH THE OWNERS OF EVERY LOT, TRACT OR PARCEL CONTAINED IN THIS SUBDIVISION OWN A NON-EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS FOR THEMSELVES, THEIR GUESTS AND INVITEES, SUBJECT, HOWEVER, TO ANY LIMITATIONS CONTAINED IN ANY PROTECTIVE DEED COVENANTS IMPOSED UPON THE REAL PROPERTY, THE SUBJECT OF THIS PLAT, AND ALL SANITATION, FIRE, LAW ENFORCEMENT AND EMERGENCY MEDICAL SERVICE PERSONNEL AND VEHICLES PROVIDING SERVICES TO THE SUBDIVISION AND THE RESIDENTS THEREIN SHALL HAVE A PERPETUAL RIGHT OF EASEMENT, HEREIN GRANTED, FOR INGRESS AND EGRESS; THAT DRAINAGE RETENTION AREAS AND DRAINAGE EASEMENTS HEREON SHALL BE AND REMAIN PRIVATE PROPERTY, SUBJECT, HOWEVER, TO THE LIMITATION, HEREIN MADE, THAT THE SAME SHALL BE USED FOR THE COLLECTION AND DISPOSAL OF STORM WATER DRAINAGE AND FOR NO USE INCONSISTANT THEREWITH; THAT THE SEWER/WATER EASEMENTS AND UTILITY EASEMENTS SHOWN OR NOTED ON THE PLAT ARE RESERVED EXCLUSIVELY FOR SUCH USES BY THE UTILITIES (MUNICIPAL AND PRIVATE) TO WHOM RIGHTS AND SUCH EASEMENTS SHALL BE GRANTED FROM TIME TO TIME BY THE DEDICATOR OR ITS SUCCESSORS IN INTEREST; THAT NEITHER THE EASEMENTS HEREIN GRANTED NOR THE LIMITATIONS HEREIN MADE SHALL CONSTITUTE A DEDICATION TO THE GENERAL PUBLIC OR MARION COUNTY AND THAT NO OBLIGATION IS IMPOSED UPON THE COUNTY OR ANY OTHER PUBLIC BODY FOR IMPROVEMENTS OR MAINTENANCE OF THE STREET RIGHT-OF-WAY EASEMENTS, STORM WATER DRAINAGE FACILITIES OR EASEMENTS.

THAT DEDICATOR SHALL FILE IN THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, RESTRICTIVE DEED COVENANTS TO RUN WITH THE REAL PROPERTY, THE SUBJECT TO THIS PLAT, WHICH SAID PROTECTIVE DEED COVENANTS SHALL PROVIDE THAT THE STREETS, STREET RIGHT-OF-WAY EASEMENTS, DRAINAGE RETENTION AREAS, AND DRAINAGE RIGHTS-OF-WAY, DEPICTED AND NOTED ON THE PLAT SHALL REMAIN IN PRIVATE OWNERSHIP AND SHALL NEVER BE DEDICATED, CONSTRUCTED, IMPROVED, OR MAINTAINED, BY MARION COUNTY OR ANY OTHER PUBLIC BODY.

IN WITNESS WHEREOF THE DEDICATOR, DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA, HAS CAUSED THESE PRESENTS TO BE SIGNED IN ITS CORPORATE NAME BY ITS PRESIDENT AND SECRETARY, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED BY ITS SECRETARY ON THIS 21 DAY OF September, 1989, ALL BY AND WITH THE AUTHORITY OF THE BOARD OF DIRECTORS OF SAID CORPORATION.

(CORPORATE SEAL)

DEVELOPMENT & CONSTRUCTION
CORPORATION OF AMERICA

BY: K.K. Ghumman
KUKBIR GHUMMAN, PRESIDENT

ATTEST: Patricia Arndt
SECRETARY

STATE OF FLORIDA,
COUNTY OF MARION,

I HEREBY CERTIFY THAT ON THIS 21st DAY OF September 1989, BEFORE ME PERSONALLY APPEARED KULBIR GHUMMAN, PRESIDENT, AND Patricia Arndt, SECRETARY, RESPECTIVELY OF DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA, A CORPORATION UNDER THE LAWS OF THE STATE OF FLORIDA, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING, AND SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR FREE ACT AND DEED AS SUCH OFFICERS, FOR THE USES AND PURPOSES THEREIN MENTIONED\, AND THAT THEY AFFIXED THERETO THE OFFICIAL SEAL OF SAID CORPORATION, AND THE SAID INSTRUMENT IS THE ACT AND DEED OF SAID CORPORATION.

WITNESS MY SIGNATURE AND OFFICIAL SEAL AT OCALA, MARION COUNTY, FLORIDA, THE DAY AND YEAR LAST AFORESAID.

Carol P. Armbruster
NOTARY PUBLIC

MY COMMISSION EXPIRES: February 28, 1993

APPROVAL OF OFFICIALS

APPROVED:

BY Joe Selma
COUNTY ROAD DEPARTMENT

BY Dwight D. Jones
COUNTY RIGHT-OF-WAY DEPARTMENT

BY Larry W. Vanadore
COUNTY ENGINEERING DEPARTMENT

BY James R. McClain
COUNTY BUILDING DEPARTMENT

BY Michael E. May
COUNTY ZONING DEPARTMENT

BY David L. Townsend
COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

BY L.D. Letellier
DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS

BY Dan L. Thompson
COUNTY PLANNING DEPARTMENT

THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA DOES HEREBY APPROVE THIS PLAT FOR RECORDING IN THE PUBLIC RECORDS.

ATTEST: Frances E. Thigpin
FRANCES E. THIGPIN
CLERK OF THE CIRCUIT COURT

J.W. Tommy Needham
TOMMY NEEDHAM
CHAIRMAN BOARD OF
COUNTY COMMISSIONERS

CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED PLAT CONFORMS WITH THE PROVISIONS OF CHAPTER 177, FLORIDA STATUTES, AND THAT SAID PLAT WAS FILED FOR RECORD IN PLAT BOOK 1, PAGES 86 - 91 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, AT 4:50PM. ON THE 9 DAY OF October, 1989

BY: Frances E. Thigpin
FRANCES E. THIGPIN
CLERK OF CIRCUIT COURT

ASSESSMENT NOTIFICATION

THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AS A CONDITION PRECEDENT TO THE ACCEPTANCE OF THIS PLAT FOR RECORDING IN THE PUBLIC RECORDS, DOES HEREBY NOTIFY ALL PRESENT AND FUTURE OWNERS OF PROPERTY SHOWN ON THIS PLAT THAT THE LANDS INCLUDED IN THIS PLAT ARE SUBJECT TO SPECIAL ASSESSMENTS AS MAY BE PERMITTED BY LAW TO FINANCE COSTS INCURRED IN CONNECTION WITH THE MAINTENANCE, OPERATION AND CONSTRUCTION OF A CENTRAL WATER SYSTEM AND SEWER SYSTEM AND/OR TRAFFIC SAFETY IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO TURN LANES, BY-PASS LANES AND TRAFFIC SIGNALS WHEN IN THE OPINION OF SAID BOARD OR OTHER GOVERNING BODY HAVING JURISDICTION, SUCH FACILITIES BECOME NECESSARY IN ORDER TO PROTECT THE ENVIRONMENT AND THE HEALTH, SAFETY AND WELFARE OF THE GENERAL PUBLIC.

J.W. Tommy Needham
TOMMY NEEDHAM
CHAIRMAN BOARD OF
COUNTY COMMISSIONERS

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT OF OAK RUN, NEIGHBORHOOD 8-B IS A TRUE AND CORRECT REPRESENTATION OF THE LAND AS RECENTLY SURVEYED AND PLATTED UNDER MY DIRECTION; THAT THE PERMANENT REFERENCE MONUMENTS AS SHOWN WERE IN PLACE ON THE 22 nd DAY OF SEPT., 1989 AND THAT THIS PLAT COMPLIES WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES AND CHAPTER 21 HH-6, FLORIDA ADMINISTRATIVE CODE.

FARNER, BARLEY & ASSOCIATES, INC

William S. Barley
WILLIAM S. BARLEY
REGISTERED LAND SURVEYOR
STATE OF FLORIDA NO. 3815

NOTES

1. THE STREET RIGHT-OF-WAY EASEMENTS DEPICTED HEREON SHALL PROVIDE FOR THE INSTALLATION AND MAINTENANCE OF ALL UTILITIES SERVICING THE PROPERTY, THE SUBJECT OF THIS PLAT.
2. UTILITY EASEMENTS ARE SHOWN BY DASHED LINES ON THE ATTACHED PLAT. ALL UTILITY COMPANIES SERVING THIS DEVELOPMENT ARE GRANTED THE RIGHT TO INSTALL AND MAINTAIN UTILITIES IN THE EASEMENTS.
3. NO LOT OR TRACT AS SHOWN ON THIS PLAT SHALL BE DIVIDED OR RE-SUBDIVIDED UNLESS PORTIONS THEREOF ARE USED TO INCREASE THE SIZE OF ADJACENT LOTS OR TRACTS OR UNTIL A REPLAT IS FILED WITH MARION COUNTY WHICH REPLAT COMPLIES WITH THE PROVISIONS OF THE PUBLIC WORKS MANUAL. VIOLATION OF THIS PROVISION MAY BE PUNISHABLE AS PROVIDED IN THE CODE OF MARION COUNTY.
4. PERMANENT CONTROL POINTS (P.C.P.) TO BE SET WITHIN 1 YEAR FROM DATE THIS PLAT IS RECORDED.
5. BEARINGS BASED ON AN ASSUMED MERIDIAN.
6. THIS PLAT CONTAINS 94 LOTS, 1 TRACT, 0.91 MILES OF ROADWAY (PRIVATE) AND 24.89 ACRES.
7. COUNTY OFFICIALS EMPLOYED BY THE COUNTY BUILDING AND ZONING DEPARTMENT, COUNTY ENVIRONMENTAL HEALTH DEPARTMENT, COUNTY PUBLIC WORKS DEPARTMENT AND COUNTY ENGINEERING DEPARTMENT SHALL HAVE THE RIGHT TO ENTER UPON THE LANDS INCLUDED IN THIS PLAT FOR THE PURPOSES OF INSPECTING ANY AND ALL FACILITIES, STRUCTURES, AND CONSTRUCTION OF IMPROVEMENTS IN ORDER TO ASSURE THAT THE SAME ARE IN KEEPING WITH THE PUBLIC SAFETY, HEALTH AND GENERAL WELFARE.
8. THE STREET RIGHT-OF-WAY EASEMENTS, D.R.A.'S DRAINAGE, UTILITY, PEDESTRIAN, INGRESS AND EGRESS, EASEMENTS, AND TRACT "D" ARE "COMMON AREAS" AS DEFINED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS OF OAK RUN, NEIGHBORHOOD 8-B, AS RECORDED IN O.R. BOOK , PAGES THRU OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.
9. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

NOTICE: There may be additional restrictions that are not recorded on the plat that may be found in the public records of this County.

PLAT BOOK 1 PAGE 87

OAK RUN NEIGHBORHOOD 8-B

SECTION 36, TOWNSHIP 16 SOUTH, RANGE 20 EAST
MARION COUNTY, FLORIDA

CONSENT OF MORTGAGEE

KNOW ALL MEN BY THESE PRESENTS: THAT SOUTHEAST BANK, N.A., A FLORIDA CORPORATION, THE OWNER AND HOLDER OF THAT CERTAIN MORTGAGE RECORDED DECEMBER 3, 1985, AND RECORDED IN OFFICIAL RECORDS BOOK 1318, PAGE 1511, AS MODIFIED IN OFFICIAL RECORDS BOOK 1339, PAGE 0006, AS MODIFIED IN OFFICIAL RECORDS BOOK 1370, PAGE 406, OFFICIAL RECORDS BOOK 1413, PAGE 1680, AS MODIFIED IN OFFICIAL RECORDS BOOK 1460, PAGE 1691, AND THAT MORTGAGE DATED MAY 5,1988 IN FAVOR OF SOUTHEAST BANK, N.A. RECORDED IN OFFICIAL RECORDS BOOK 1500, PAGE 839; SAID MORTGAGES MODIFIED AND CONSOLIDATED BY A MODIFICATION AND CONSOLIDATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1500, PAGE 0871, ALL OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA ENCUMBERING THE PROPERTY DESCRIBED HEREON, DOES HEREBY CONSENT TO THIS PLAT AND JOINS IN THE ABOVE DEDICATION.

IN WITNESS WHEREOF SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED IN ITS CORPORATE NAME BY ITS ~~ASSISTANT~~ VICE PRESIDENT AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED ALL BY AND WITH THE AUTHORITY OF THE BOARD OF DIRECTORS OF SAID CORPORATION ON THIS 22nd DAY OF September, 1989

SOUTHEAST BANK, N.A. WITNESSES

BY Barbara Dennison Jr. Lisa M. Bott
EDWARD DENNISON JR.
VICE PRESIDENT Teresa A. Barnes

NOTARY ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF Orange

BEFORE ME THIS DAY PERSONALLY APPEARED EDWARD DENNISON, JR. TO ME WELL KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED THAT HE DID SO FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN EXPRESSED.

DATE 9-22-89 SIGNED Lisa M. Bott
NOTARY PUBLIC
STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES 2-28-93

CONSENT OF MORTGAGEE

KNOW ALL MEN BY THESE PRESENTS: THAT LAJU CHANRAI, THE OWNER AND HOLDER OF THAT CERTAIN MORTGAGE DATED DECEMBER 30,1985, RECORDED IN OFFICIAL RECORDS BOOK 1344, PAGE 1189 AND MODIFIED BY MORTGAGE MODIFICATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1350, PAGE 0349 AS MODIFIED BY MORTGAGE MODIFICATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1360, PAGE 1625; AS MODIFIED BY MORTGAGE MODIFICATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1413, PAGE 1680, AND AS SUBORDINATED IN SUBORDINATION OF MORTGAGE RECORDED IN OFFICIAL RECORDS BOOK 1500, PAGE 874, ALL OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, ENCUMBERING THE PROPERTY DESCRIBED HEREON, DOES HEREBY CONSENT TO THIS PLAT AND JOINS IN THE ABOVE DEDICATION.

IN WITNESS WHEREOF WE HAVE HERELUNTO CAUSED THESE PRESENTS TO BE SIGNED ON THIS 22nd DAY OF September, 1989

WITNESSES

BY Laju Chanrai, by Thomas R. Allen, his attorney-in-fact Teresa A. Barnes
LAJU CHANRAI
BY THOMAS R. ALLEN,
HIS ATTORNEY-IN-FACT Barbara J. Coad

NOTARY ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME THIS DAY PERSONALLY APPEARED THOMAS R. ALLEN, AS ATTORNEY-IN-FACT FOR LAJU CHANRAI TO ME WELL KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED THAT HE DID SO FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN EXPRESSED.

DATE September 22, 1989 SIGNED Barbara J. Coad
NOTARY PUBLIC
STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES 4/11/91

CONSENT OF MORTGAGEE

KNOW ALL MEN BY THESE PRESENTS: THAT LAJU CHANRAI, THE OWNER AND HOLDER OF THAT CERTAIN MORTGAGE DATED DECEMBER 30,1985, RECORDED IN OFFICIAL RECORDS BOOK 1344, PAGE 1168 AND MODIFIED BY MORTGAGE MODIFICATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1451, PAGE 1526, AND AS SUBORDINATED IN THAT CERTAIN SUBORDINATION OF MORTGAGE RECORDED IN OFFICIAL RECORDS BOOK 1500, PAGE 874, ALL OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, ENCUMBERING THE PROPERTY DESCRIBED HEREON, DOES HEREBY CONSENT TO THIS PLAT AND JOINS IN THE ABOVE DEDICATION.

IN WITNESS WHEREOF WE HAVE HERELUNTO CAUSED THESE PRESENTS TO BE SIGNED ON THIS 22nd DAY OF September, 1989

WITNESSES

BY Laju Chanrai, by Thomas R. Allen, his attorney-in-fact Teresa A. Barnes
LAJU CHANRAI
BY THOMAS R. ALLEN,
HIS ATTORNEY-IN-FACT Barbara J. Coad

NOTARY ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME THIS DAY PERSONALLY APPEARED THOMAS R. ALLEN, AS ATTORNEY-IN-FACT FOR LAJU CHANRAI TO ME WELL KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED THAT HE DID SO FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN EXPRESSED.

DATE September 22, 1989 SIGNED Barbara J. Coad
NOTARY PUBLIC
STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES 4/11/91

NOTICE: There may be additional restrictions that are not recorded on this plat that may be found in the public records of this County.

PLAT BOOK 1 PAGE 88

OAK RUN NEIGHBORHOOD 8-B

SECTION 35 AND 36, TOWNSHIP 16 SOUTH, RANGE 20 EAST
MARION COUNTY, FLORIDA

GRAPHIC SCALE

200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

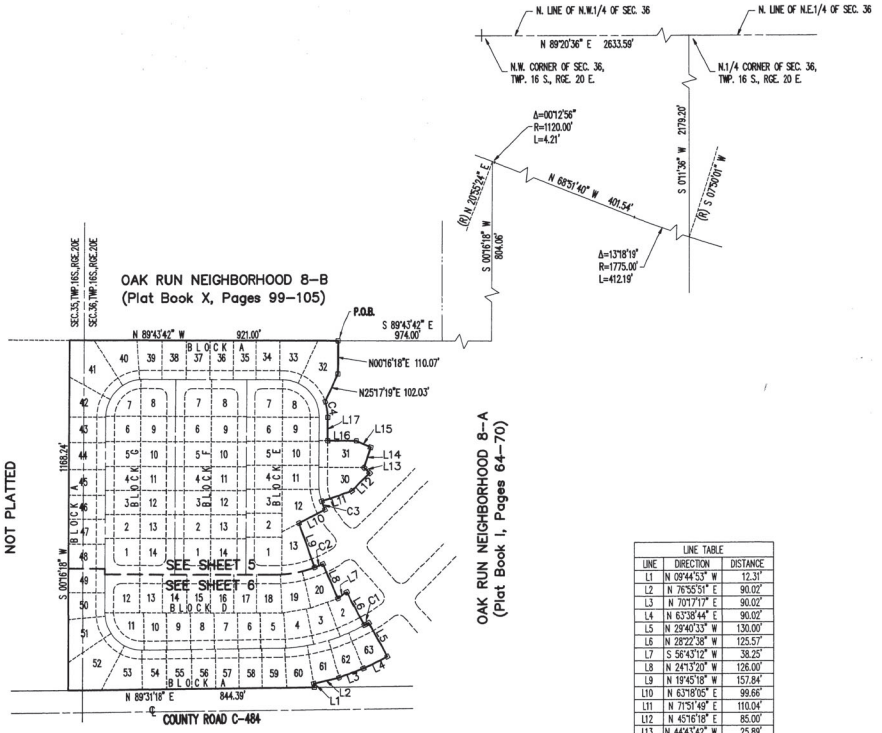
NOTICE: There may be additional restrictions that are not recorded on this plat that may be found in the public records of this County.

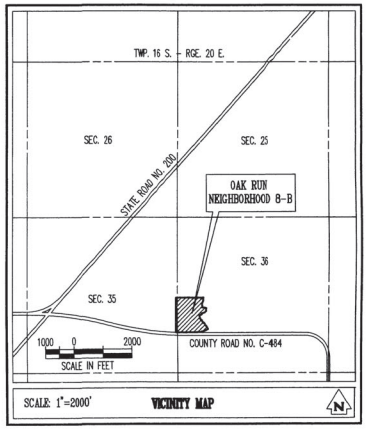
DESCRIPTION

A PARCEL OF LAND IN SECTIONS 35 & 36, TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF AFORESAID SECTION 36; RUN THENCE N89°20'36"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 36 A DISTANCE OF 2633.59 FEET TO THE NORTH 1/4 CORNER OF SECTION 36; THENCE S00°11'36"W ALONG THE EAST LINE OF SAID NORTHWEST 1/4 A DISTANCE OF 2179.20 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF OAK RUN NEIGHBORHOOD 7, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGES 21 THROUGH 27, PUBLIC RECORDS OF MARION COUNTY, FLORIDA, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1775.00 FEET TO WHICH RADIAL LINE BEARS S02°50'01"W RUN THENCE NORTHWESTERLY 412.19 FEET ALONG THE ARC OF SAID CURVED BOUNDARY OF OAK RUN NEIGHBORHOOD 7 THROUGH A CENTRAL ANGLE OF 13°18'19" TO THE END OF SAID CURVE; THENCE CONTINUE ALONG THE NORTHERLY AND WESTERLY BOUNDARIES OF OAK RUN NEIGHBORHOOD 7 WITH THE FOLLOWING COURSES: RUN N68°51'40"W 401.54 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1120.00 FEET; THENCE NORTHWESTERLY 4.21 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°12'56"; THENCE LEAVING SAID CURVE RUN S00°16'18"W 804.06 FEET TO THE NORTH BOUNDARY OF OAK RUN NEIGHBORHOOD 8-A ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGES 64 THRU 70, PUBLIC RECORDS OF MARION COUNTY, FLORIDA; THENCE ALONG SAID NORTH BOUNDARY OF OAK RUN NEIGHBORHOOD 8-A RUN N89°43'42"W 974.00 FEET FOR THE POINT OF BEGINNING; SAID POINT ALSO BEING ON THE SOUTH BOUNDARY OF TRACT "F", OAK RUN NEIGHBORHOOD ONE ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK X PAGES 99 THROUGH 105, PUBLIC RECORDS OF MARION COUNTY, FLORIDA; FROM SAID POINT OF BEGINNING CONTINUE N89°43'42"W ALONG SAID SOUTH BOUNDARY OF TRACT "F" 921.00 FEET; RUN S00°16'18"W 1168.24 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD C-484; SAID RIGHT-OF-WAY LINE BEING 75.00 FEET NORTH (BY PERPENDICULAR MEASUREMENT) OF THE CENTERLINE OF COUNTY ROAD C-484; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE RUN N89°31'18"E 844.39 FEET TO THE WESTERLY BOUNDARY OF AFOREMENTIONED OAK RUN NEIGHBORHOOD 8-A; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUN ALONG THE WESTERLY BOUNDARY OF OAK RUN NEIGHBORHOOD 8-A WITH THE FOLLOWING COURSES: RUN N09°44'53"W 12.31 FEET; THENCE N76°55'51"E 90.02 FEET; THENCE N70°17'17"E 90.02 FEET; THENCE N63°38'44"E 90.02 FEET; THENCE N29°40'33"W 130.00 FEET TO A POINT ON A CURVE; SAID CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 646.91 FEET TO WHICH A RADIAL LINE BEARS S29°40'33"E; THENCE SOUTHWESTERLY 14.66 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°17'55", THENCE LEAVING SAID CURVE RUN N28°22'38"W ALONG A RADIAL LINE 125.57 FEET; THENCE S56°43'12"W 38.25 FEET; THENCE N24°13'20"W 126.00 FEET TO A POINT ON A CURVE; SAID CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 400.00 FEET TO WHICH A RADIAL LINE BEARS S24°13'20"E, THENCE RUN SOUTHWESTERLY 31.19 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°28'02", THENCE LEAVING SAID CURVE RUN N19°45'18"W ALONG A RADIAL LINE 157.84 FEET; THENCE N63°18'05"E 99.66 FEET TO A POINT ON A CURVE; SAID CURVE BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 200.00 FEET TO WHICH A RADIAL LINE BEARS S63°18'05"W; THENCE RUN NORTHWESTERLY 29.89 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°33'44"; THENCE LEAVING SAID CURVE RUN N71°51'49"E ALONG A RADIAL LINE 110.04 FEET; THENCE N45°16'18"E 85.00 FEET; THENCE N44°43'42"W 25.89 FEET; THENCE N17°29'55"E 70.83 FEET; THENCE N65°29'31"W 52.00 FEET; THENCE N89°43'42"W 100.00 FEET; THENCE N00°16'18"E 77.62 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 155.00 FEET; THENCE RUN NORTHWESTERLY 53.52 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°47'03"; THENCE ALONG A NON-TANGENT LINE RUN N25°17'19"E 102.03 FEET; THENCE N00°16'18"E 110.07 FEET TO THE POINT OF BEGINNING.

KEY MAP





LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N 09°44'53" W	12.31'
L2	N 76°55'51" E	90.02'
L3	N 70°17'17" E	90.02'
L4	N 63°38'44" E	90.02'
L5	N 29°40'33" W	130.00'
L6	N 28°22'38" W	125.57'
L7	S 56°43'12" W	38.25'
L8	N 24°13'20" W	126.00'
L9	N 19°45'18" W	157.84'
L10	N 63°18'05" E	99.66'
L11	N 71°51'49" E	110.04'
L12	N 45°16'18" E	85.00'
L13	N 44°43'42" W	25.89'
L14	N 17°29'55" E	70.83'
L15	N 65°29'31" W	52.00'
L16	N 89°43'42" W	100.00'
L17	N 00°16'18" E	77.62'

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	646.91'	14.66'	7.33'	14.66'	S 60°58'25" W	01°17'55"
C2	400.00'	31.19'	15.60'	31.18'	S 68°00'41" W	04°28'02"
C3	200.00'	29.89'	14.97'	29.86'	N 22°25'03" W	08°33'44"
C4	155.00'	53.52'	27.03'	53.26'	N 09°37'13" W	19°47'03"

LEGEND

□ P.R.M.	INDICATES PERMANENT REFERENCE MONUMENT SET (NO. 1571)
⊠ P.R.M.	INDICATES PERMANENT REFERENCE MONUMENT FOUND (NO.)
◉ P.C.P.	INDICATES PERMANENT CONTROL POINT
P.C.	INDICATES POINT OF CURVE
P.T.	INDICATES POINT OF TANGENT
P.R.C.	INDICATES POINT OF REVERSE CURVE
P.C.C.	INDICATES POINT OF COMPOUND CURVE
P.I.	INDICATES POINT OF INTERSECTION
R	INDICATES RADIUS
Δ	INDICATES DELTA (CENTRAL ANGLE OF CURVE)
L	INDICATES LENGTH OF ARC
T	INDICATES TANGENT
C.B.	INDICATES CHORD BEARING
CH.	INDICATES CHORD
℄ & C/L	INDICATES CENTERLINE
(R)	INDICATES RADIAL LINE
U.E.	INDICATES UTILITY EASEMENT
D.E.	INDICATES DRAINAGE EASEMENT
D.R.A.	INDICATES DRAINAGE RETENTION AREA
L3	INDICATES REFERENCE TO LINE TABLE
C3	INDICATES REFERENCE TO CURVE TABLE
SEC.	INDICATES SECTION
TWP.	INDICATES TOWNSHIP
RGE.	INDICATES RANGE
N	INDICATES NORTH
E	INDICATES EAST
S	INDICATES SOUTH
W	INDICATES WEST
I.E.	INDICATES AN EASEMENT FOR INGRESS AND EGRESS
P.O.B.	INDICATES POINT OF BEGINNING
R/W	INDICATES RIGHT-OF-WAY
L.S.S.	INDICATES LIFT STATION SITE

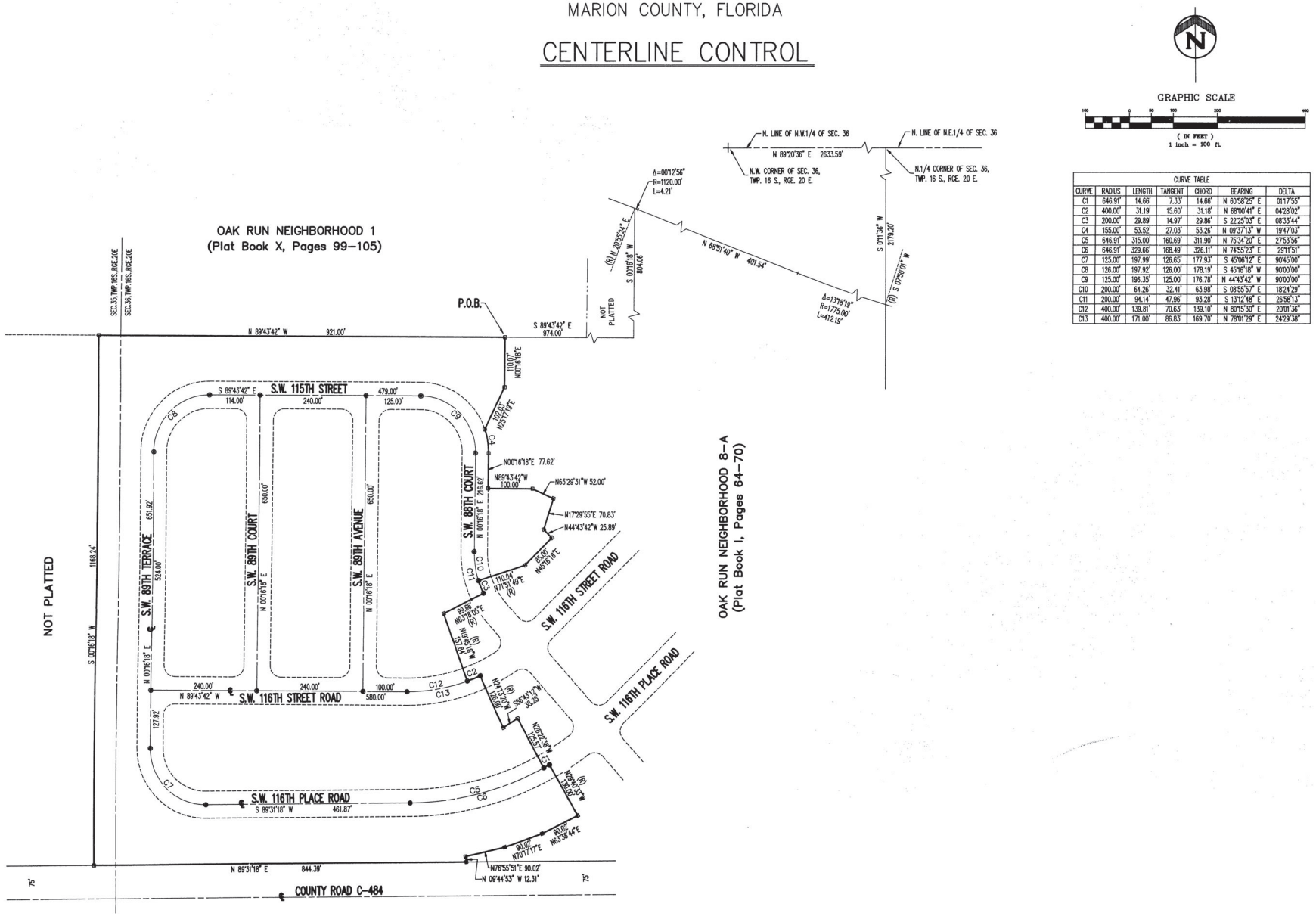
PLAT BOOK 1 PAGE 89

OAK RUN NEIGHBORHOOD 8-B

SHEET 4 OF 6

SECTION 35 AND 36, TOWNSHIP 16 SOUTH, RANGE 20 EAST
MARION COUNTY, FLORIDA

CENTERLINE CONTROL



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	646.91'	14.66'	7.33'	14.66'	N 60°58'25" E	01°17'55"
C2	400.00'	31.19'	15.60'	31.18'	N 68°00'41" E	04°28'02"
C3	200.00'	29.89'	14.97'	29.86'	S 22°25'03" E	08°33'44"
C4	155.00'	53.52'	27.03'	53.26'	N 09°37'13" W	19°47'03"
C5	646.91'	315.00'	160.69'	311.90'	N 75°34'20" E	27°53'56"
C6	646.91'	329.66'	168.49'	326.11'	N 74°55'23" E	29°11'51"
C7	125.00'	197.99'	126.65'	177.93'	S 45°06'12" E	90°45'00"
C8	126.00'	197.92'	126.00'	178.19'	S 45°16'18" W	90°00'00"
C9	125.00'	196.35'	125.00'	176.78'	N 44°43'42" W	90°00'00"
C10	200.00'	64.26'	32.41'	63.98'	S 08°55'57" E	18°24'29"
C11	200.00'	94.14'	47.96'	93.28'	S 13°12'48" E	26°58'13"
C12	400.00'	139.81'	70.63'	139.10'	N 80°15'30" E	20°01'36"
C13	400.00'	171.00'	86.83'	169.70'	N 78°01'29" E	24°29'38"

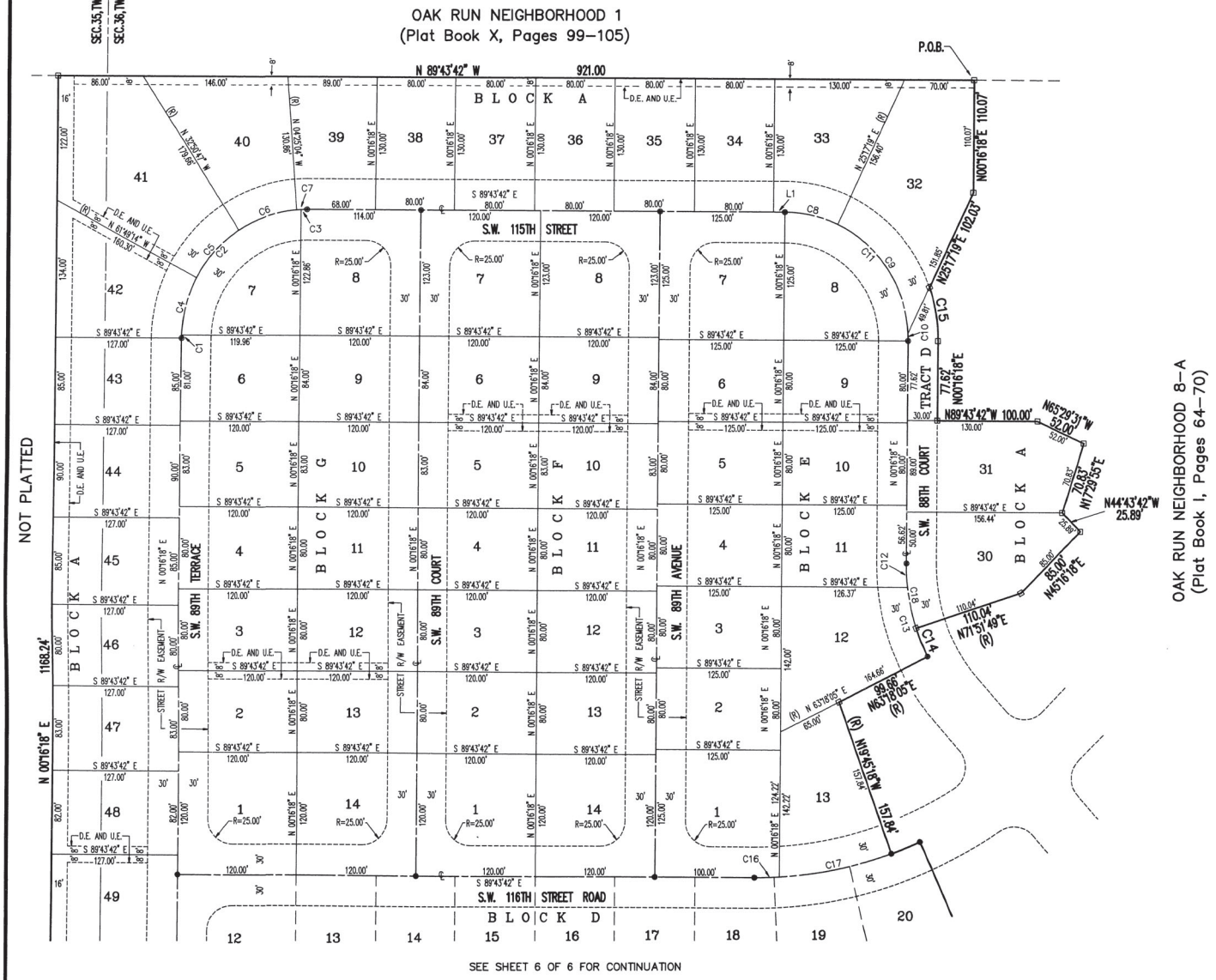
PLAT BOOK 1 PAGE 90

OAK RUN NEIGHBORHOOD 8-B

SHEET 5 OF 6

SECTION 35 AND 36, TOWNSHIP 16 SOUTH, RANGE 20 EAST
MARION COUNTY, FLORIDA

OAK RUN NEIGHBORHOOD 1
(Plat Book X, Pages 99-105)



GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	126.00	3.00	1.50	3.00	N 00°57'14" E	01°21'52"
C2	126.00	188.92	117.30	171.71	N 44°35'21" E	85°54'23"
C3	126.00	6.00	3.00	6.00	N 88°54'25" E	02°43'46"
C4	126.00	61.37	31.31	60.77	N 14°13'32" E	27°54'28"
C5	126.00	63.72	32.56	63.04	N 42°39'59" E	28°58'27"
C6	126.00	62.52	31.92	61.88	N 71°22'04" E	28°25'43"
C7	126.00	10.31	5.16	10.31	N 87°55'37" E	04°41'22"
C8	125.00	54.58	27.73	54.15	S 77°13'12" E	25°01'01"
C9	125.00	134.44	74.55	128.06	S 33°53'57" E	61°37'28"
C10	125.00	7.33	3.66	7.33	S 01°24'27" E	03°21'31"
C11	125.00	196.35	125.00	176.78	S 44°43'42" E	90°00'00"
C12	200.00	23.44	11.73	23.42	S 03°05'07" E	06°42'51"
C13	200.00	70.71	35.73	70.34	S 16°34'14" E	20°15'22"
C14	200.00	29.89	14.97	29.86	N 22°25'03" W	08°33'44"
C15	155.00	53.52	27.03	53.26	N 09°37'13" W	19°47'03"
C16	400.00	25.02	12.51	25.01	N 88°28'48" E	03°35'06"
C17	400.00	114.80	57.80	114.40	N 78°28'00" E	16°26'36"
C18	200.00	64.26	32.41	63.98	S 08°55'57" E	18°24'29"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 89°43'42" E	11.00

NOTICE: There may be additional restrictions that are not recorded on this part that may be found in the public records of this County

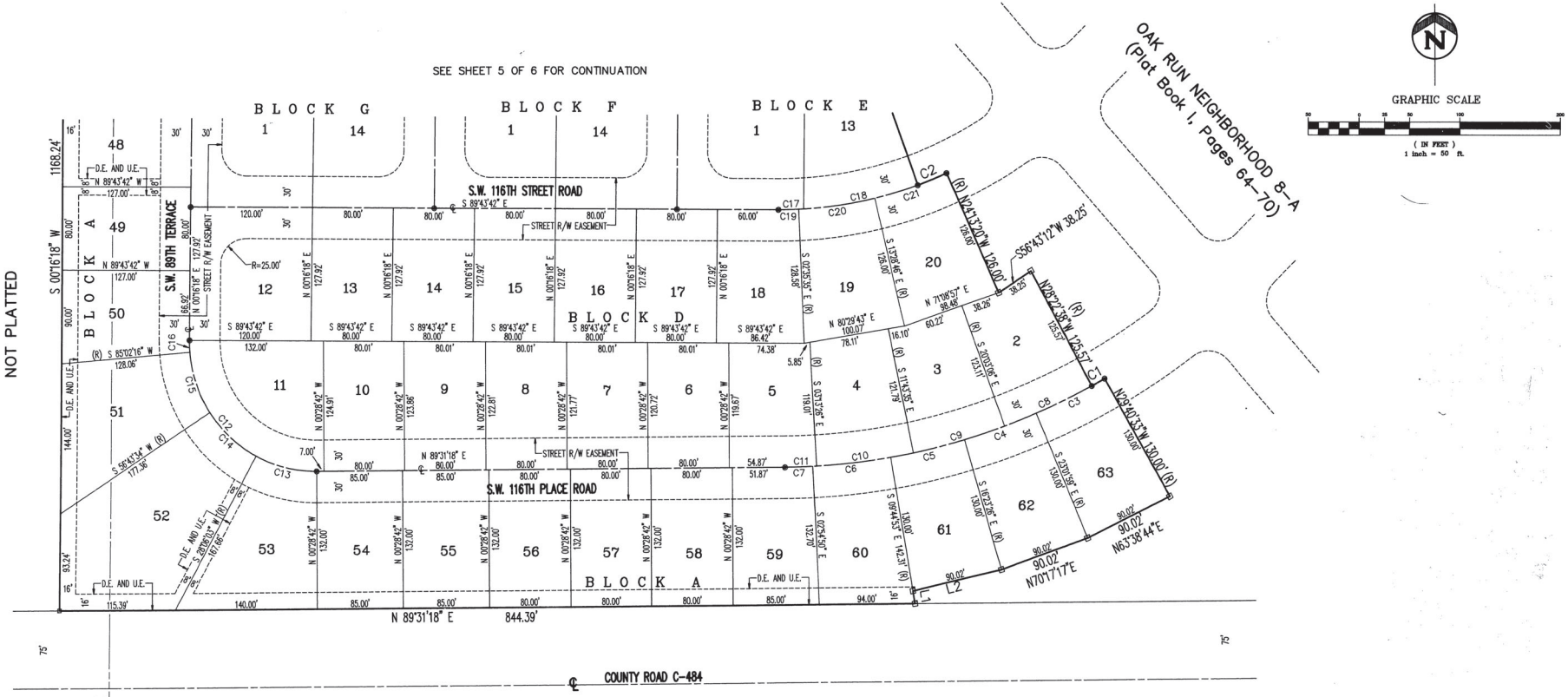
PLAT BOOK 1 PAGE 91

OAK RUN NEIGHBORHOOD 8-B

SHEET 6 OF 6

SECTION 35 AND 36, TOWNSHIP 16 SOUTH, RANGE 20 EAST
MARION COUNTY, FLORIDA

NOTICE: There may be additional restrictions that are not recorded on this plat that may be found in the public records of this County.



CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	646.91'	14.66'	7.33'	14.66'	S 60°58'25" W	01°17'55"
C2	400.00'	31.19'	15.60'	31.18'	S 68°00'41" W	04°28'02"
C3	646.91'	75.00'	37.54'	74.96'	S 63°38'44" W	06°38'33"
C4	646.91'	75.00'	37.54'	74.96'	S 70°17'17" W	06°38'33"
C5	646.91'	75.00'	37.54'	74.96'	S 76°55'51" W	06°38'33"
C6	646.91'	77.16'	38.63'	77.12'	S 83°40'09" W	06°50'03"
C7	646.91'	27.50'	13.75'	27.50'	S 88°18'14" W	02°26'08"
C8	646.91'	94.00'	47.08'	93.92'	S 65°47'08" W	08°19'31"
C9	646.91'	94.00'	47.08'	93.92'	S 74°06'39" W	08°19'31"
C10	646.91'	96.00'	48.09'	95.91'	S 82°31'29" W	08°30'09"
C11	646.91'	31.00'	15.50'	31.00'	S 88°08'56" W	02°44'44"
C12	125.00'	197.99'	126.65'	177.93'	S 45°06'12" E	90°45'00"
C13	125.00'	62.35'	31.84'	61.71'	N 76°11'19" W	28°34'45"
C14	125.00'	62.45'	31.89'	61.80'	N 47°35'12" W	28°37'30"
C15	125.00'	61.77'	31.53'	61.14'	N 19°07'05" W	28°18'42"
C16	125.00'	11.42'	5.71'	11.41'	N 02°20'43" W	05°14'02"
C17	400.00'	25.02'	12.51'	25.01'	N 88°28'48" E	03°35'00"
C18	400.00'	114.80'	57.80'	114.40'	N 78°28'00" E	16°26'36"
C19	400.00'	20.00'	10.00'	20.00'	N 88°50'21" E	02°51'53"
C20	400.00'	76.00'	38.11'	75.89'	N 81°57'50" E	10°53'10"
C21	400.00'	75.00'	37.61'	74.89'	N 71°08'57" E	10°44'35"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 09°44'53" W	12.31'
L2	N 76°55'51" E	90.02'

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 20, 2025

MARION COUNTY GROWTH SERVICES DEPARTMENT
KEN WEYRAUCH
2710 E SILVER SPRINGS BLVD
OCALA, FL 34470

SUBJECT: **STAFF REVIEW COMMENTS LETTER**
PROJECT NAME: COMMERCIAL SITE AREA 7000-000-000
PROJECT #2025050007
APPLICATION: COMP PLAN SMALL SCALE MAP AMENDMENT #32806

Dear Ken:

Below are the reviewers' comments for the above referenced project. This project has been scheduled for review by staff on Thursday, July 20, 2025.

DEPARTMENT: ENGDRN - STORMWATER REVIEW
REVIEW ITEM: Comp Plan Small Scale Map Amendment
STATUS OF REVIEW: INFO
REMARKS: Stormwater is not opposed to the small-scale comprehensive plan amendment. The applicant proposes to change the current land use from HR to COM to match the current use and PUD. Stormwater has no objections. Please ensure LDC 6.13 is met with the Improvement Plans.

DEPARTMENT: ENGTRF - TRAFFIC REVIEW
REVIEW ITEM: Comp Plan Small Scale Map Amendment
STATUS OF REVIEW: INFO
REMARKS: 6/2/25 – DENIED: The existing Oak Run DRI Master Plan indicates this area is reserved for site support systems and not commercial as requested. No traffic information was provided with this application, preventing a comprehensive evaluation of the traffic impacts.

DEPARTMENT: 911 - 911 MANAGEMENT
REVIEW ITEM: Comp Plan Small Scale Map Amendment
STATUS OF REVIEW: INFO
REMARKS: N/A

DEPARTMENT: FRMSH - FIRE MARSHAL REVIEW
REVIEW ITEM: Comp Plan Small Scale Map Amendment
STATUS OF REVIEW: INFO
REMARKS: Approved

DEPARTMENT: DOH - ENVIRONMENTAL HEALTH

REVIEW ITEM: Comp Plan Small Scale Map Amendment
STATUS OF REVIEW: INFO
REMARKS: N/A

DEPARTMENT: LSCAPE - LANDSCAPE DESIGN AND IRRIGATION
REVIEW ITEM: Comp Plan Small Scale Map Amendment
STATUS OF REVIEW: INFO
REMARKS: no comment

DEPARTMENT: UTIL - MARION COUNTY UTILITIES
REVIEW ITEM: Comp Plan Small Scale Map Amendment
STATUS OF REVIEW: INFO
REMARKS: The property is located within the Oak Run Neighborhood, which is served by Marion County Utility water and sewer services. If any change of use is proposed as part of the project, capital charges for the parcel will need to be recalculated accordingly.

DEPARTMENT: ZONE - ZONING DEPARTMENT
REVIEW ITEM: Comp Plan Small Scale Map Amendment
STATUS OF REVIEW: INFO
REMARKS: Zoning review will be conducted at the time of the reporting process.

DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW
REVIEW ITEM: Comp Plan Small Scale Map Amendment
STATUS OF REVIEW: INFO
REMARKS: This item remains as NO until BCC grants approval: Two public hearings are required for this application: 1) By the Planning & Zoning commission; and 2) By the Board of County Commissioners. The BCC will approve or disapprove the request.

HR to COM. Zoning: PUD. 9.13 acre.

Staff preliminary review only. Planning review will be conducted during staff analysis and report writing.

If you have any questions, please contact the Development Review Team at (352) 671-8682.

Sincerely,
The Development Review Team

A. Sign

B. Views along W. CR Hwy 484 - looking east then clockwise to west.

1.

2.

3.

4.

5.

6. Entry gate to site.

C. View of homes Oak Run homes backing up to the site from the SW 116th Street Road and SW 89th Terrace intersection, looking south to north.

1.

2.

3.

4.

D. Views from Oak Run internal roadway - SW 89th Terrace - looking west to site between homes, moving from south at SW 116th Place Road north to SW 115th Street.

Photo Guide

1. (View between homes to Hwy 484 south of DRA - 8980 SW 116th Place Road on left, SW 11680 SW 89th Terrace on right.)

2A. 11660 SW 89th Terrace on left, 11640 SW 89th Terrace on right.

2B.

3. 11640 SW 89th Terrace on left, 11620 SW 89th Terrace on right.

4. 11620 SW 89th Terrace on left, 11598 SW 89th Terrace on right.

5A. 11598 SW 89th Terrace on left, 11590 SW 89th Terrace on right.

5B.

6. 11590 SW 89th Terrace on left, 11576 SW 89th Terrace on right.

7. 11570 SW 89th Terrace on left, 11556 SW 89th Terrace on right.

8. 11556 SW 89th Terrace on left, 11542 SW 89th Terrace on right.

9. 11528 SW 89th Terrace on left, 11514 SW 89th Terrace on right.

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19935 **Agenda Date:** 7/28/2025 **Agenda No.:** 1.7.

SUBJECT:
25-S11 - Jennifer Ellenburg, Small Scale Land Use Change from High Residential (HR) to Medium Residential (MR), 3.85 Acres, Parcel Account Number 9024-0000-01, No Address Assigned

DESCRIPTION/BACKGROUND:
Clymer Farner Barley, Inc., on behalf of the property owner, Jennifer Ellenburg, has applied for a small-scale future land use map amendment to change the future land use designation of a ±3.85-acre parcel generally located at the intersection of 7900 BLK Juniper Rd and 100 BLK Walnut Rd from High Residential (HR) to Medium Residential (MR). This request is made pursuant to the provisions of Land Development Code (LDC) Division 2.3 - Comprehensive Plan Amendment. As provided by the Applicant, the proposed use is intended to be five (5) single-family residential lots.
The subject property is Tract A-T in Silver Springs Shores Unit 24. It is located inside of the Urban Growth Boundary and has a Single-Family Dwelling (R-1) zoning classification. The proposed MR land use designation allows a density of 1-to-4 dwelling units per. The property is located within the County's Primary Springs Protection Overlay Zone. There are no concurrent applications associated with this rezoning request, nor are there any code enforcement cases related to the subject property.

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

Public Hearing Dates	**P&Z: 07/28/2025**	**BCC: 08/18/2025**
Case Number	25-S11	
CDP-AR	32895	
Type of Case: **Small-Scale Comprehensive Plan Amendment**	*Future Land Use Designation Change:* **FROM:** High Residential (HR) **TO:** Medium Residential (MR)	
Owner	Jennifer Ellenburg	
Applicant	Clymer Farner Barley, Inc. c/o Beau Clymer	
Street Addresses	No site address assigned. Generally located at intersection of 7900 BLK Juniper Rd and 100 BLK Walnut Rd	
Parcel Numbers	9024-0000-01	
Property Size	±3.85 acres	
Subdivision	Silver Springs Shores Unit 24 (recorded 08/11/1970)	
Existing Future Land Use	High Residential (HR)	
Zoning Classification	Single-Family Dwelling (R-1)	
Overlay Zones / Special Areas	In Urban Growth Boundary (UGB); In Primary Springs Protection Overlay Zone (P-SPOZ);	
Staff Recommendation	**APPROVAL**	
P&ZC Recommendation	**TBD**	
Related Cases	N/A	
Code Cases	N/A	
Project Planner	Erik Kramer	

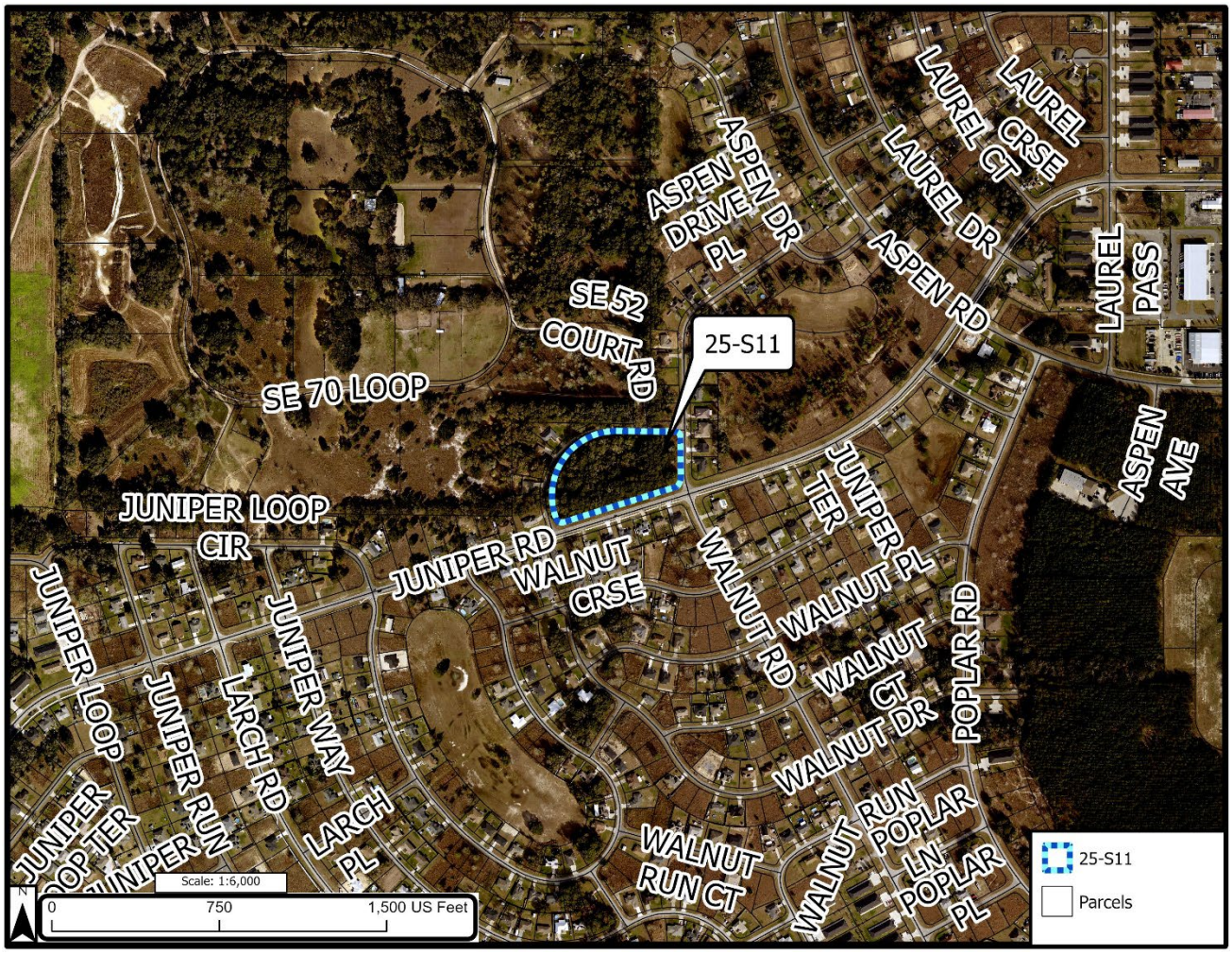
I. ITEM SUMMARY

Clymer Farner Barley, Inc. filed a small-scale land use amendment (Attachment A) on behalf of the property owner – Jennifer Ellenburg. The purpose is to convert a ±3.85-acre parcel (see Figure 1) from the current High Residential (HR) future land use designation, which allows 4-to-8 dwelling units per acre, to Medium Residential (MR) future land use designation which allows for 1-to-4 dwelling units per acre. The proposed land use amendment reduces the potential maximum number of residential units from 30 to 15 while changing the primary character, based on land use, from multifamily to single-family residential. The subject parcel is located between the located at intersection of 7900 BLK Juniper Rd and 100 BLK Walnut Rd.

The subject site is located within the Urban Growth Boundary. It is within the Belleview Utility Service Area. The subject site is within the Primary Springs Protection Overlay Zone. According to FEMA's 2017 Flood Zones designations, the entire property is subject to minimal flood risk (unshaded X).

Figure 1

General Location Map



II. STAFF SUMMARY RECOMMENDATION

Staff is recommending the **APPROVAL** of the Small-Scale Future Land Use Map Series (FLUMS) amendment because it is consistent with Land Development Code (LDC) Section 2.3.3.B, which requires amendments comply, and be consistent, with the Marion County Comprehensive Plan as well as the provisions of Chapter 163, Florida Statutes, be compatible with the surrounding uses, and not adversely affect the public interest.

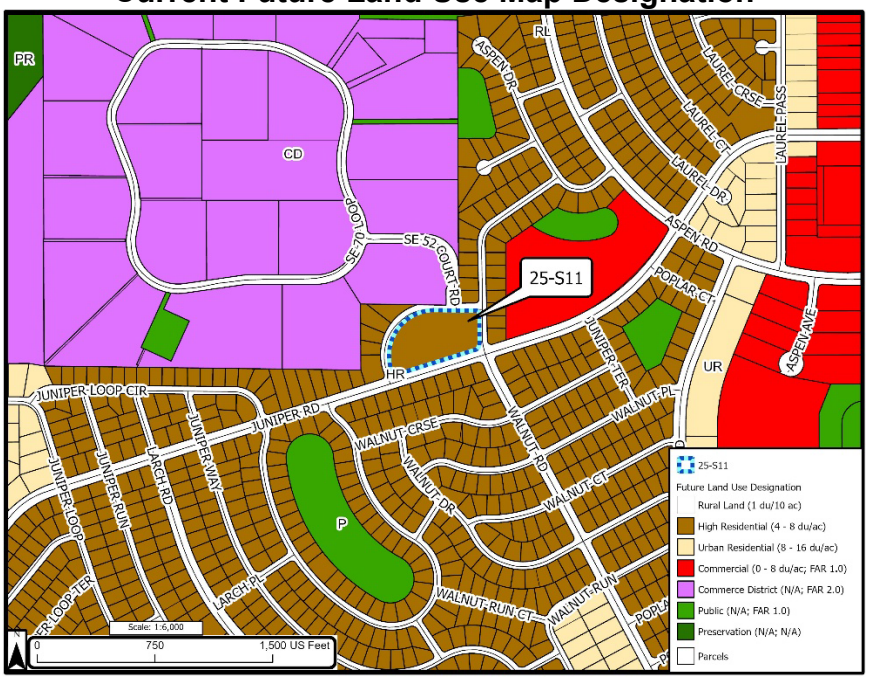
III. NOTICE OF PUBLIC HEARING

Notice of public hearing was mailed to thirty-seven (37) property owners within 300 feet of the subject property on July 11, 2025, pursuant to LDC Section 3.5.3.B(2) (see Attachment B). A public hearing notice sign was posted on the property July 11, 2025, pursuant to LDC Section 3.5.3.B(1)(a) (see Attachment D). A notice of public hearing for the Planning & Zoning Commission hearing was published in the Ocala Star-Banner on July 14, 2025, pursuant to LDC Section 3.5.3.A and 3.5.3.B(1)(b). Evidence of the public hearing notices are on file with the Growth Services Department and are incorporated herein by reference. As of the date of the initial distribution of this Staff Report, no written correspondence in support of or in opposition to the amendment has been received.

IV. BACKGROUND/PROPERTY HISTORY

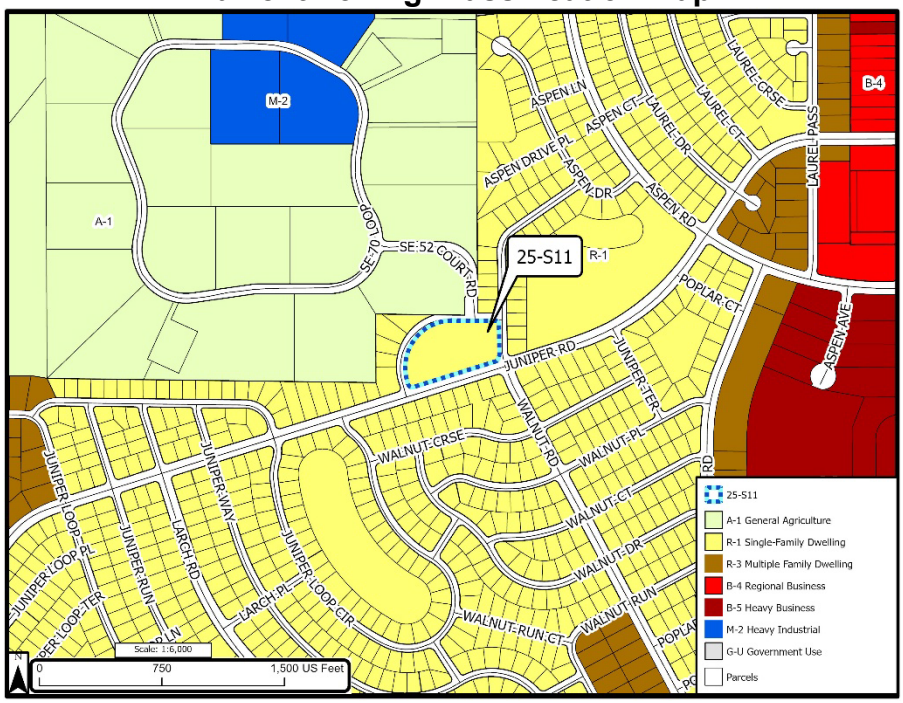
A. *FLUMS history*. Figure 2 displays the current FLUMS designation of the subject property along with that of the surrounding properties. The subject property has a High Residential (HR) future land use designation which allows residential density between 4 to 8 dwelling units per acre. The property owner seeks to amend the property's future land use designation to Medium Density (MR) which would allow the owner to develop between 1 to 4 dwelling units per acre. There are no historical records for land use amendments associated with this property.

Figure 2
Current Future Land Use Map Designation



B. *Zoning Classification history*. Figure 3 shows the subject property is currently zoned Single Family Residential (R-1). There are no historical records for zoning changes associated with this property.

Figure 3
Current Zoning Classification Map



V. CHARACTER OF THE AREA

A. *Existing site characteristics*.

Figure 4, following, is an aerial photograph showing the subject property and subdivisions in the surrounding area. The subject property is a vacant residential tract located on the north side of Juniper Road, ±0.5-miles west of SE 58th Avenue. Juniper Road is a paved county-maintained roadway currently designated as a Major Local roadway.

The subject property is tract "A-T" in a replat of Silver Springs Shores Unit 24. The Rolling Oak Acres subdivision is located approximately ±30 feet north of the subject property. The site does not include any identified flood plain per the Federal Emergency Management Agency's Flood Insurance Rate Maps Series (FEMA FIRM). Additionally, it does not include any flood prone area from the Marion County Stormwater Division's Watershed Management Program.

Figure 4
Aerial Photograph with Subdivisions

B. *Adjacent and surrounding land use context*. Figure 5 is a map based on the Marion County Property Appraisers Property Use Code data showing the existing adjacent and surrounding land uses.

Vacant and occupied single family residential are the most common land uses in the area. The typical lot sizes for the surrounding single-family lots ranges between 0.25-acres to 0.50-acres; although, there is some deviation outside of this range. The Rolling Oak Acres subdivision to the north generally features large lots consists of single-family residences, mobile home residences, agricultural production, and vacant industrial uses. More dense and intense uses like multi-family residences, commercial, vacant commercial, and industrial are located to the east of the subject site, close to and along SE 58th Ave which is a major arterial roadway maintained by Florida Department of Transportation.

Figure 5
Existing and Surrounding Land Uses

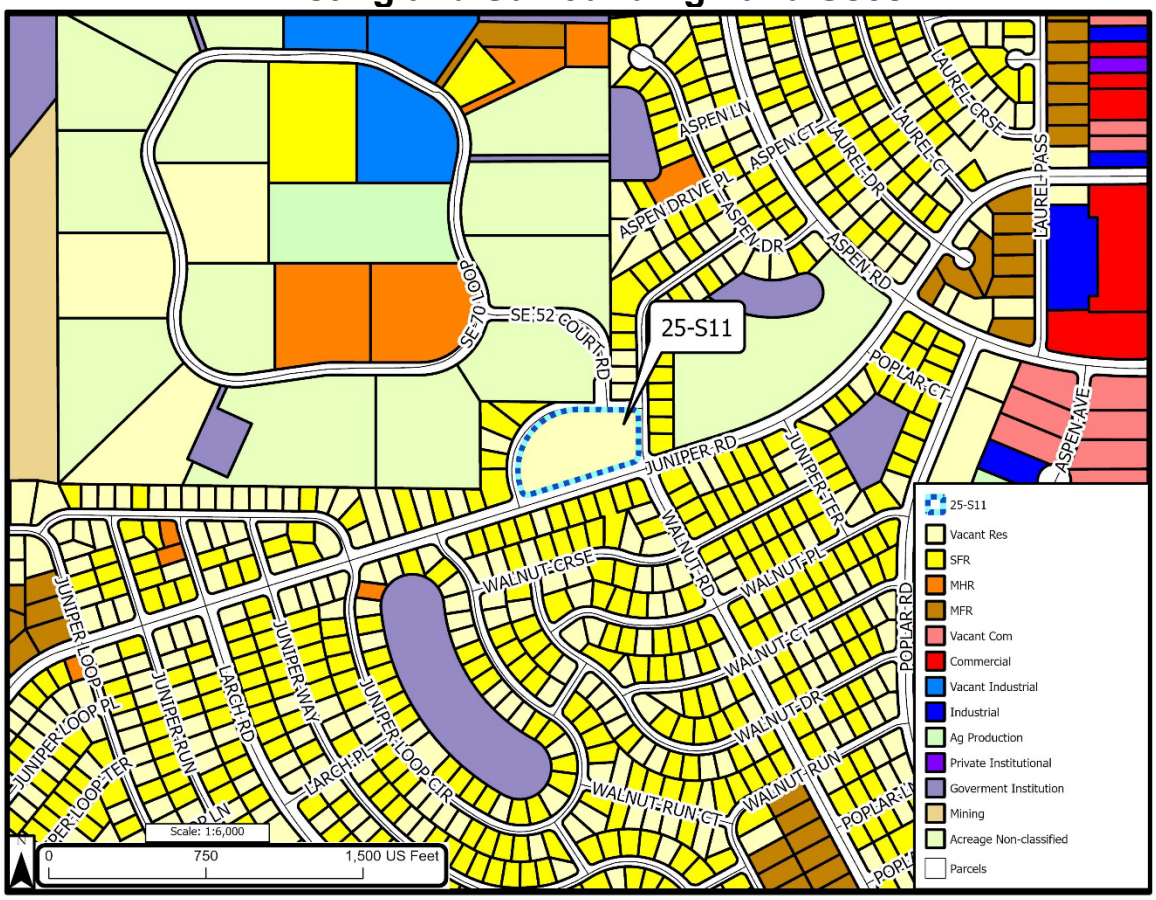


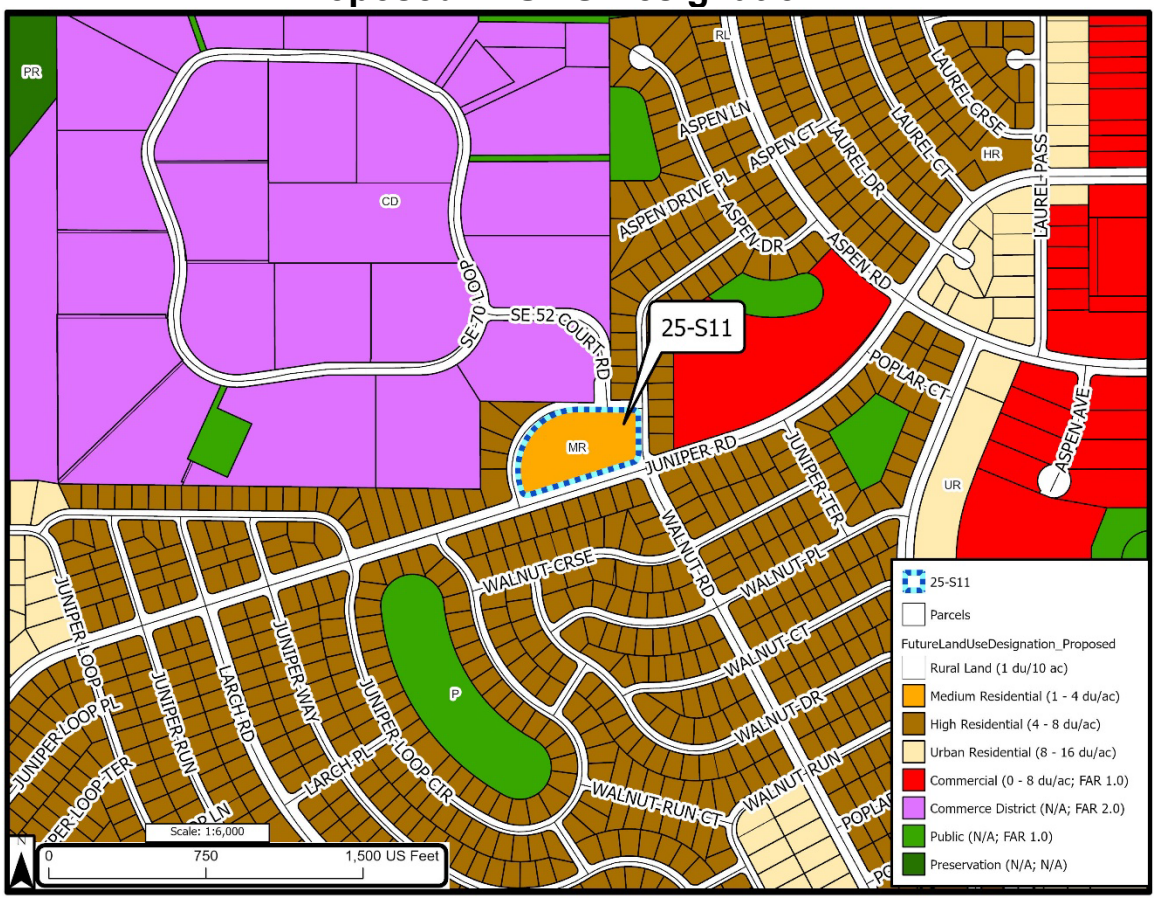
Table A, below, displays the FLUMS, Zoning Classification, and existing uses on the subject site and surrounding uses.

TABLE A. ADJACENT PROPERTY CHARACTERISTICS

Direction	FLUM Designation	Zoning Classification	Existing Use Per MCPA Property Code
Subject Property	High Residential (HR)	Single Family Dwelling (R-1)	Vacant Residential
North	High Residential (HR) & Commerce District (CD)	Single Family Dwelling (R-1) & General Agriculture (A-1)	Single Family Residences & Non-Classified Acreage
South	High Residential (HR)	Single Family Dwelling (R-1)	Single Family Residences
East	High Residential (HR)	Single Family Dwelling (R-1)	Single Family Residences
West	High Residential (HR)	Single Family Dwelling (R-1)	Single Family Residences

C. *Project request*. Following Figure 6 depicts the FLUMS amendment proposed by this application. The site is located in the Marion County's UGB. The application requests changing the site's future land use designation from High Residential (HR – 4 to 8 DU/AC) to Medium Residential (MR – 1 to 4 DU/AC). Table B below shows how (1) the request lowers the potential density on the site and (2) the applicant's intended density fits within the proposed MR density range.

Figure 6
Proposed FLUMS Designation



The site is a ±3.85-acre parcel, surrounded by Marion County maintained right-of-way. Nearby future land uses include HR within Silver Springs Shores Unit 24 and CD within Rolling Oak Acres. Beyond the immediate vicinity, the surrounding future land uses within Silver Springs Unit 24 mainly consist of HR with single family homes, Public (P) for drainage retention, Commercial (COM), and Urban Residential (UR).

The proposed MR designation would allow the owner to replat tract "A-T" and create residential lots similar in size to the existing platted residential lots in Silver Springs Shores Unit 24 which are designated for HR land use. This replatting would support small-scale residential infill, using the existing roadway infrastructure to serve new homes. According to the County's traffic engineers, the proposed land use change would reduce the number of trips generated by the site (see Attachment C).

TABLE B. Density Comparison			
Site FLUMS	**Density Range**	**Minimum Density**	**Maximum Density**
Existing HR on ±3.85 acres	(4 to 8 DU/AC)	15 homes	30 homes
Requested MR on ±3.85 acres	(1 to 4 DU/AC)	3 homes	15 homes
Applicant's Proposed Lot Layout		**Intended DU/AC**	**Intended Density**
See Attachment A Pages A-2 & A-4		1.3 DU/AC	5 homes

In summary, staff finds that the proposed small scale land use amendment is **compatible** with the character of the surrounding area.

VI. ANALYSIS

LDC Section 2.3.3.B requires a Comprehensive Plan Amendment Application to be reviewed for compliance and consistency with the Marion County Comprehensive Plan and Chapter 163, Florida Statutes. Staff's analysis of compliance and consistency with these two decision criteria are addressed below.

A. *Consistency with the Marion County Comprehensive Plan*

1. Future Land Use Element (FLUE).

a. Goal 1: Purpose of the Future Land Use Element – To protect the unique assets, character, and quality of life in the County through the implementation and maintenance of land use policies and a Land Development Code (LDC) that accomplish the following:

1. Promote the conservation and preservation of natural and cultural resources;
2. Support and protect agricultural uses;
3. Protect and enhance residential neighborhoods while allowing for mixed use development within the county;
4. Strengthen and diversify the economic base of the County;
5. Promote development patterns that encourage an efficient mix and distribution of uses to meet the needs of the residents throughout the county;
6. Ensure adequate service and facilities to timely serve new and existing development;
7. Protect and enhance the public health, safety, and welfare; and
8. Protect private property rights.

Analysis: This land use amendment is consistent with item 1 and 6 of FLUE Goal 1. The requested land use change from HR to MR would promote the conservation of Silver Springs's integrity

by lowering the density in the Primary Springs Protection Overlay Zone, particularly at a time when central utilities are not available. While this change lowers the overall density of the site, it still permits infill development of urban residential uses within the Urban Growth Boundary. This new development can use existing roadway infrastructure and municipal services. Additionally, the lower density under MR future land use reduce the impact on Marion County's ability to provide adequate service and facilities to existing development within Silver Springs Shores Unit 24 and the surrounding area.
The application is **consistent** with FLUE Goal 1.

b. FLUE Policy 1.1.1: Marion County Planning Principles - The County shall rely upon the following principles to guide the overall planning framework and vision for the County:

1. Preserve, protect and manage the County's valuable natural resources.
2. Recognize and protect the rural equestrian and agricultural character as an asset of the County's character and economy while providing clear, fair and consistent standards for the review and evaluation of any appropriate future development proposals.
3. Support the livability of the existing cities and towns in the County by planning for the logical extension of development in a manner that enhances the scale, intensity and form of these areas through the introduction of sustainable smart growth principles and joint planning activities.
4. Support economic development through government practices that place a priority on public infrastructure necessary to attract such activities and that foster a local economic development environment that is conducive to the creation and growth of new businesses, the expansion of existing businesses, and is welcoming to private entrepreneur activities.

Analysis: Infill development involves developing vacant or underused parcels of land within existing urban areas that already have established infrastructure and development. The proposed land use change for this site would enable residential infill development on larger lots than the typical quarter-acre lots in the Silver Springs Shores Unit 24 subdivision. Infill development can enhance the livability of the local neighborhoods and overall Marion County community by increasing the customer base for local businesses, optimizing the use of public and Municipal Service Taxing Unit dollars for infrastructure improvements, and helping to reduce outward urban sprawl into rural areas and environmentally sensitive areas.
The application is **consistent** with FLUE Policy 1.1.1.

c. FLUE Policy 2.1.18: Medium Residential (MR) - This land use designation is intended to recognize areas suited for primarily single-family residential units within the Urban Growth Boundary, Planned

Service Areas, and Urban Area. However, the designation allows for multi-family residential units in certain existing

developments along the outer edges of the Urban Growth Boundary or Urban Area. The density range shall be from one (1) dwelling unit per one (1) gross acres to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.

Analysis: The proposed land use change seeks to establish a Medium Residential designation in an area primarily characterized by a High Residential designation. Silver Springs Shores Unit 24 is within the UGB and the surrounding future land use designations include Urban Area uses such as, High Residential, Urban Residential, Commercial, and Commerce District (see Figure 6). Medium Residential is intended for areas suited primarily for single-family residential units. Most of the surrounding developed properties are currently used for single family residential according to the Marion County Property Appraiser (see Figure 5). The application is **consistent** with FLUE Policy 2.1.19.

d. FLUE Policy 5.1.2 on Review Criteria – Changes to the Comprehensive Plan and Zoning Provides, "Before approval of a Comprehensive Plan Amendment (CPA), Zoning Change (ZC), or Special Use Permit (SUP), the applicant shall demonstrate that the proposed modification is suitable. The County shall review, and decide that the proposed modification is compatible with existing and planned development on the site and in the immediate vicinity, and shall evaluate its overall consistency with the Comprehensive Plan, Zoning, and LDC and potential impacts on, but not limited to the following:

1. Market demand and necessity for the change;
2. Availability and potential need for improvements to public or private facilities and services;
3. Allocation and distribution of land uses and the creation of mixed use areas;
4. Environmentally sensitive areas, natural and historic resources, and other resources in the County;
5. Agricultural activities and rural character of the area;
6. Prevention of urban sprawl, as defined by Ch. 163, F.S.;
7. Consistency with the UGB;
8. Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC;
9. Compatibility with current uses and land uses in the surrounding area;
10. Water Supply and Alternative Water Supply needs; and
11. Concurrency requirements.

Analysis: A market demand and necessity for change analysis was not provided for the request; however, the requested MR designation would allow the Applicant to provide the intended five (5) homes at a density below what is currently allowed in HR. The requested MR designation would decrease the traffic demands on the surrounding transportation system. The residential uses allowed under MR are compatible with the residential character of the surrounding area. Reducing the potential density would create a transitional buffer between existing agricultural uses and future Commerce District development in the Rolling Oak Acre subdivision. Additionally, since there are no existing central water or sewer connections nearby, the lower density would reduce the number of individual on-site wells and septic systems within the Primary Springs Protection Overlay Zone. The application is **consistent** with FLUE Policy 5.1.2.

e. FLUE Policy 5.1.3: Planning & Zoning Commission (P&Z) - The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

Analysis: This application is scheduled to appear in front of the Planning & Zoning Commission on July 28, 2025. This application is **consistent** with FLUE Policy 5.1.3.

f. FLUE Policy 5.1.4: Notice of Hearing - The County shall provide notice consistent with Florida Statutes and as further defined in the LDC.

Analysis: Public notice has been provided as required by the LDC and Florida Statutes, and therefore the application is being processed **consistent** with FLUE Policy 5.1.4.

g. FLUE Policy 7.4.7: Central Water and Wastewater Service – Central wastewater facilities shall be the preferred method of wastewater treatment for all development in an SPOZ in accordance to Policy 7.2.8 of this element and central water facilities shall be the preferred method of providing water supply.

Where regional and sub-regional centralized wastewater facilities are not available, alternative wastewater facilities, including package plants and community cluster systems, may be used. The County shall establish criteria in its LDC for determining when connection to an existing centralized facility is required, and when

construction of an alternative wastewater facility may be permitted. Consideration shall be given to such factors as project type, size, density, location and other relevant factors. All new and expanded facilities shall comply with the treatment and disposal standard established pursuant to Policy 1.6.1 of the Wastewater Element.

Analysis: The property lies within the City of Belleview's utility service area and the Primary Springs Protection Overlay Zone. The developer intends to provide on-site septic systems (see Attachment A, page A-2), which, due to the property's location within Primary Springs Protection Overlay Zone, are expected to provide enhanced nitrogen filtration. The homes may be expected to connect to the City of Belleview's central utility system at the time of development, subject to Belleview's connection requirements, or when utilities become available in the area.

The application is **consistent** with FLUE Policy 6.1.3.

2. Transportation Element (TE)
   a. TE Policy 2.1.4: Determination of Impact - All proposed development shall be evaluated to determine impacts to adopted LOS standards.

Analysis: The applicant did not provide a traffic methodology or traffic study for the potential maximum buildout of the amendment's proposed Medium Residential land use designation. However, the County's traffic engineer staff recommended approval because the proposed land use "will result in fewer trips than the current High Residential land use" (see attachment C).

The site is bounded by Juniper Road to the south, Walnut Trail to the north/west, and Walnut Road to the east. The Federal Highway Administration and the Florida Department of Transportation classify Juniper Road as an Urban Minor Collector roadway and Marion County's Office of County Engineer classifies Walnut Trail and Walnut Road as Subdivision Local roadways. These streets do not have an assigned Level of Service standard. As supported by the trip generation analysis in Table C, the proposed land use change would lower this site's development impact on nearby major roadways, such as Maricamp Road and State Road 35.

Traffic engineer staff stated that "driveways for each lot must access Walnut Road or Walnut trail and must comply with corner lot driveway restrictions" (see Attachment C). Attachment A, page A-2, indicates driveways will only access Walnut Road or Walnut Trail, the driveways will not access Juniper Road. The driveway placement will be further reviewed as part of the replatting process.

Based on the existing R-1 zoning, only detached single-family homes are permitted. The peak hour trip generation per single-family

detached unit is 0.94 trips, according to the Institute of Transportation Engineers (version 11).

Single family attached and multi-family housing are not permitted; therefore, are excluded from the trip generation analysis in Table C below. The proposed land use amendment from HR to MR reduces the maximum trip potential by 14 trips.

TABLE C. Peak Hour Trip Generation.

Land Use & Density Range	**Minimum Density & Expected Peak Hour Trips**	**Maximum Density & Expected Peak Hour Trips**
Existing: HR (4 to 8 DU/AC)	15 homes 14 trips	30 homes 28 trips
Proposed: MR (1 to 4 DU/AC)	3 homes 3 trips	15 homes 14 trips

Intended DU/AC	**Intended Density & Expected Peak Hour Trips**
1.3 DU/AC	5 homes 5 trips

Based on Based on the above findings, the application is **consistent** with TE Policy 2.1.4.

3. Sanitary Sewer Element (SSE)
   a. SSE Policy 1.1.1: "The LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand is adopted as the basis for future facility design, determination of facility capacity, and documentation of demand created by new development. This LOS shall be applicable to central sewer facilities and to package treatment plants but shall not apply to individual OSTDS."

      Analysis: The level of service standard for residential is 110 gallons per person per day. The Bureau of Economic and Business Research finds, based on the 2020 U.S. Census, that Marion County's average household size is 2.33 persons. The site is within the City of Belleview Service Area and connection requirements the City of Belleview will determine connection requirements at the time of permitting. Table D calculates the expected level of service impact on sewage needs.

TABLE D. Sanitary Sewer Generation.		
Land Use & Density Range	**Minimum Density & Expected Gallons of Sewage**	**Maximum Density & Expected Gallons of Sewage**
Existing: HR (4 to 8 DU/AC)	15 homes 3,845 gallons	30 homes 7,689 gallons
Proposed: MR (1 to 4 DU/AC)	3 homes 769 gallons	15 homes 3,845 gallons
Intended DU/AC	**Intended Density & Expected Gallons**	
1.3 DU/AC	5 homes 1282 gallons	

The application is **consistent** with SSE Policy 1.1.1.

4. Potable Water Element (PWE)

a. PWE Policy 1.1.1 provides in part, "[t]he LOS standard of 150 gallons person per day (average daily consumption) is adopted as the basis for future facility design, determination of available facility capacity, and determination of demand created by new development with regard to domestic flow requirements, and the non-residential LOS standard shall be 2,750 gallons per acre per day."

Analysis: The level of service standard for residential is 150 gallons per person per day. The Bureau of Economic and Business Research finds, based on the 2020 U.S. Census, that Marion County's average household size is 2.33 persons. The site is within the City of Belleview Service Area and the City of Belleview will determine connection requirements at the time of permitting. Table E calculates the expected level of service impact for potable drinking water needs.

TABLE E. Potable Water Generation.		
Land Use & Density Range	**Minimum Density & Expected Gallons of Water**	**Maximum Density & Expected Gallons of Water**
Existing: HR (4 to 8 DU/AC)	15 homes 5,243 gallons	30 homes 10,485 gallons
Proposed: MR (1 to 4 DU/AC)	3 homes 1,049 gallons	15 homes 5,243 gallons
Intended DU/AC	**Intended Density & Expected Gallons**	
1.3 DU/AC	5 homes 1,748 gallons	

5. Solid Waste Element (SWE)

a. SWE Policy 1.1.1 provides, "[t]he LOS standard for waste disposal shall be 6.2 pounds of solid waste generation per person per day. This LOS standard shall be used as the basis to determine the capital facilities or contractual agreements needed to properly dispose of solid waste currently generated in the County and to determine the demand for solid waste management facilities which shall be necessitated by future development."

Analysis: SWE Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day for residential demand. The Bureau of Economic and Business Research finds, based on the 2020 U.S. Census, that Marion County's average household size is

2.33 persons. The County has identified and arranged for short-term and long-term disposal needs by obtaining a long-term contract reserving capacity with a private landfill in Sumter County. Additionally, the County is looking into a new landfill site within Marion County to satisfy future solid waste demands. Based on the calculations in Table F, Marion County has the capacity to serve the potential new solid waste needs generated from the proposed. Based on these findings, the application is **consistent** with SWE Policy 1.1.1.

TABLE F. Solid Waste Generation.

Land Use & Density Range	**Minimum Density & Expected Pounds of Waste**	**Maximum Density & Expected Pounds of Waste**
Existing: HR (4 to 8 DU/AC)	15 homes 217 pounds	30 homes 433 pounds
Proposed: MR (1 to 4 DU/AC)	3 homes 43 pounds	15 homes 217 pounds

Intended DU/AC	**Intended Density & Expected Pounds of Waste**
1.3 DU/AC	5 homes 72 pounds

6. Stormwater Element (SE).

a. SE Policy 1.1.4 provides, "[t]he demand for stormwater facility capacity by new development and redevelopment shall be determined based on the difference between the pre-development and post-development stormwater runoff characteristics (including rates and volumes) of the development site using the applicable design storm LOS standard adopted in Policy 1.1.1 and facility design procedures consistent with accepted engineering practice."

Analysis: At the time of development order approval, the owner will need to demonstrate that post-development stormwater runoff can be accommodated by the stormwater facilities proposed during development review. Based on the above, the application is **consistent** with SE Policy 1.1.4.

b. SE Policy 1.1.5 provides, "Stormwater facilities meeting the adopted LOS shall be available concurrent with the impacts of the development."

Analysis: The owner is advised they will be responsible for funding the stormwater facilities with sufficient capacity to accommodate the post-development runoff. Based on the above findings, the application is **consistent** with SE Policy 1.1.5.

7. Public School.
   a. The county establishes a level of service standard of 105% for elementary and middle schools' design capacity and 100% for high schools' design capacity (LDC Section 1.8.3.E). Marion County Public Schools provides enrollment figures for the 120th day of enrollment for the 2023-2024 school year: Legacy Elementary (81%), Belleview Middle School (105%), and Belleview High School (117%).

   Table F below provides student generation estimates for single-family residential development for the minimum and maximum densities allowed by High Residential and Medium Residential, as well as the intended density provided on Attachment A. The proposed land use amendment decreases the maximum student generation potential for all school types and reduces the demand on Belleview Middle School and Belleview Highschool. Based on the above findings, the proposed development would not adversely affect public interest. Therefore, it is concluded that the application is **consistent** with this section.

TABLE G. Student Generation for Single-Family Residential

Density Range	**Min – Max Generation Range**					
	Elementary Students		**Middle Students**		**High Students**	
(4 to 8 DU/AC) 15 to 30 homes	Min 1	Max 3	Min 0	Max 1	Min 1	Max 2
(1 to 4 DU/AC) 3 to 15 homes	Min 0	Max 1	Min 0	Max 0	Min 0	Max 1
Net Change	**-1**	**-2**	**0**	**-1**	**-1**	**-1**
Intended DU/AC 2.18 DU/AC 5 Homes	0		0		0	

8. Fire Rescue/Emergency
    a. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Still, staff evaluate a 5-mile radius around the subject property as evidence of the availability of such services.

    Analysis:
    Fire Station #17, located at 2122 Pine Road, Ocala, FL 34472 is about 3 miles as the crow flies to the east of the subject property. The travel distance is between 4.3 to 5.4 road miles, depending on the travel path.

    The expected, unimpeded travel time from Fire Station #17 to the subject property is between 9 to 13 minutes, depending on time of day and travel path, according to Google Maps. As a formal level of service is not established by the Comprehensive Plan, staff finds the application is **consistent** with this section.

9. Law Enforcement/Sheriff.
    a. The Comprehensive Plan does not establish a level of service standard for law enforcement services. Still, staff evaluate a 5-mile radius around the subject property as evidence of the availability of such services.

    Analysis: The Sheriff's Silver Springs Shores District Office, located at 501 Water Road, Ocala, FL, 34472, is about 3.15 miles as the crow flies to the east of the subject property. The travel distance is between 4.8 to 5.9 road miles, depending on the travel path. The expected, unimpeded travel time from the sheriff substation to the subject property is between 10 to 14 minutes, depending on time of day and travel path, according to Google Maps. As a formal level of service is not established by the Comprehensive Plan, staff finds the application is **consistent** with this section.

In summary, staff concludes that the application is **consistent** with the Comprehensive Plan. Further, adequate public facilities are in place, or are currently under way to provide urban level services to the site while supporting county efforts related to the Primary Springs Protection Overlay Zone (P-SPOZ).

B. *Consistency with Chapter 163, Florida Statutes (F.S.)*.

1. Section 163.3177(6)(a)8, F.S. "Future land use map amendments shall be based upon the following analyses:
    a. An analysis of the availability of facilities and services.
    b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
    c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section."

Analysis: Section A of this staff report included a detailed analysis of the availability of facilities and services. Services are present in the area, and determinations for providing sanitary sewer and potable water will be made at the time of development review. The site provide infill housing in an area with existing urban infrastructure and services. Based on this information, the application **does comply with and conform to** F.S. Section 163.3177(6)(a)8a.

The analysis of the suitability of the plan amendment for its proposed use was addressed in the "Character of the area" section of this staff reports and it was found that the application **does comply with and conform to** F.S. Section 163.3177(6)(a)8b.

The analysis of the minimum amount of land needed to achieve the goals and requirements of this section was functionally addressed in the analysis of FLUE Policies. Therefore, the application **does comply with and conform to** F.S. Section 163.3177(6)(a)8c.

2. Section 163.3177(6)(a)9 provides, "[t]he future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
   a. Subsection 'a' provides, "[t]he primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:
      (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
      (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
      (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

      (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
      (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

(VI) Fails to maximize use of existing public facilities and services.
(VII) Fails to maximize use of future public facilities and services.
(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
(IX) Fails to provide a clear separation between rural and urban uses.
(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
(XI) Fails to encourage a functional mix of uses.
(XII) Results in poor accessibility among linked or related land uses.
(XIII) Results in the loss of significant amounts of functional open space.

Analysis: Staff notes the site is within an Urban Area and residential development on this site would provide infill housing that does not encroach on rural land, while making use of existing infrastructure and County services. Staff finds the application is **consistent** with F.S. Section 163.3177(6)(a)9a.

b. Subsection 'b' provides, "[t]he future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
(IV) Promotes conservation of water and energy.
(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
(VI) Preserves open space and natural lands and provides for public open space and recreation needs.
(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164."

Analysis: Staff notes the site is within the Urban Area. Residential infill on this tract would direct development to the Urban Area and away from rural and agricultural areas. This land use amendment would provide a mix of residential lot sizes in an area generally designated for High Residential density. Consequently, the proposed land use amendment would provide a range of housing choices in the Silver Springs Shores Unit 24 subdivision. New residents will have access to a multimodal transportation system along Juniper Road which accommodates automobile and pedestrian circulation. Residents would be able to use the existing transportation system to satisfy their shopping, employment, and other non-residential needs. Lastly, this subject property is located within the Belleview Service Area and will either connect to central utilities or provide on-site well and enhanced septic consistent with the water quality preservation efforts of the Primary Springs Protection Overlay Zone. Based on this finding, the proposed amendment is **consistent** with F.S. Section 163.3.177(6)(a)9b.

In summary, staff concludes that the application is **consistent** with F.S. Section 163.3177(6)(a).

VII. ALTERNATIVE ACTIONS

A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation with findings to the Board of County Commissioners to **DENY** the proposed small-scale FLUMS amendment.

B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance and act to **TABLE OR CONTINUE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation with findings to the Board of County Commissioners to **APPROVE** the proposed small-scale FLUMS amendment.

VIII. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (PZC) enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners for **APPROVAL** of the proposed small-scale FLUMS amendment number 25-S11 based on the following:

A. The application **is consistent** with the following Comprehensive Plan provisions:
   1. FLUE Goal 1, Policies 1.1.1, 2.1.18, 5.1.2, 5.1.3, 5.1.4, and 7.4.7;
   2. TE Policy 2.1.4;
   3. SSE Policy 1.1.1;
   4. PWE Policy 1.1.1;
   5. SW Policy 1.1.1; &
   6. SE Policies 1.1.4 and 1.1.5.

B. The application **does comply with and conform** to Florida Statutes, Sections Section 163.3177(6)(a)8 and 163.3177(6)(a)9, subsections a and b, as provided in prior report sections VI.A and VI.B

IX. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined.

X. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

XI. LIST OF ATTACHMENTS

A. Application.
B. Mailing Notice
C. DRC Staff Review Comments.
D. Site Photos.

APPLICATION COMPLETE
DATE COMPLETED 5/27/2025
INITIALS EM
TENTATIVE MEETING DATES Revised 01/09/2020
P&Z PH 7/28/25
BCC/P&Z PH 8/18 or 8/19/2025

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

MARION COUNTY APPLICATION FORM FOR LARGE- AND SMALL-SCALE COMPREHENSIVE PLAN AMENDMENTS

Staff Use Only: **Case # 1__- _____**

PLEASE CHECK THE APPROPRIATE APPLICATION TYPE BELOW:	
LARGE-SCALE MAP AMENDMENT _____ **TEXT AMENDMENT _____**	**SMALL-SCALE MAP AMENDMENT x** **TEXT AMENDMENT _____** *(Text amendment must be associated with submitted small-scale map amendment)*

REQUIRED DOCUMENTS TO ATTACH TO APPLICATION (add additional pages if necessary):

1) Certified legal description with a boundary sketch signed by a Florida registered surveyor for the specific property proposed to be amended. Certified legal description must include the acreage.
2) Copy of the most recent deed covering the property included within the proposed amendment.
3) Notarized owner affidavit(s) – see third page of this form.
4) Application fee – cash or check made payable to "Marion County Board of County Commissioners."
5) Additional information, including proposed text amendment language, necessary to complete application.

(NOTE: If applying for text amendment only, skip filling out the rest of the form except for applicant and/or authorized agent contact information requested on this page.)

Marion County Tax Roll Parcel Number(s) Involved	Parcel Section, Township, Range (S-T-R)	Acreage of Parcel(s)	Current Future Land Use Category	Proposed Future Land Use Category
9024-0000-01	12-16-22	3.82	HR	MR

CONTACT INFORMATION (NAME, ADDRESS, PHONE NUMBER, FAX AND EMAIL)	
Property owner/applicant	Authorized agent (if not the owner/applicant)
Jennifer Ellenburg 24734 Shetland Trl Sorrento FL 32776	Beau Clymer, Clymer Farner Barley, Inc. 406 E. Silver Springs Blvd, Suite 200 Ocala, FL 34470

Staff Use Only: Application Complete – Yes Received: Date 5/27/25 Time 10:(a.m.) / p.m. **Page 1 of 3**

AR 32895

CONCEPTUAL PLAN FOR SITE AVAILABLE? YES X NO _____
(IF YES, PLEASE ATTACH TO APPLICATION)

Revised 01/09/2020

EXISTING USE OF SITE:

Vacant Residential

PROPOSED USE OF SITE (IF KNOWN):

Single-Family Residential (5 lots)

WHICH UTILITY SERVICE AND/OR FACILITY WILL BE UTILIZED FOR THE SITE?

Well X **Centralized water** _____ **Provider** _____

Septic X **Centralized sewer** _____ **Provider** _____

DIRECTIONS TO SITE FROM GROWTH SERVICES BUILDING (2710 E. SILVER SPRINGS BLVD., OCALA):

East on Fort King Street to Baseline Road; South on Baseline Road to Juniper Road; West on Juniper Road approximately 0.6 miles to site located on north side of Juniper Road.

PROPERTY OWNER AFFIDAVIT Revised 01/09/2020 -

STATE OF Florida
COUNTY OF Lake

BEFORE ME THIS DAY PERSONALLY APPEARED Jennifer Ellenburg,
Property owner's name, printed

WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner of the real property legally identified by Marion County Parcel numbers: 9024-0000-01, _____, _____.

2. He/she duly authorizes and designates Beau Clymer, P.E., Clymer Farner Barley, Inc. to act in his/her behalf for the purposes of seeking a change to the future land use map designation of the real property legally described by the certified legal description that is attached with this amendment request;

3. He/she understands that submittal of a Comprehensive Plan map and/or text amendment application in no way guarantees approval of the proposed amendment;

4. The statements within the Comprehensive Plan map and/or text amendment application are true, complete and accurate;

5. He/she understands that all information within the Comprehensive Plan map and/or text amendment application is subject to verification by county staff;

6. He/she understands that false statements may result in denial of the application; and

7. He/she understands that he/she may be required to provide additional information within a prescribed time period and that failure to provide the information within the prescribed time period may result in the denial of the application.

8. He/she understands that if he/she is one of multiple owners included in this amendment request, and if one parcel is withdrawn from this request, it will constitute withdrawal of the entire amendment application from the current amendment cycle.

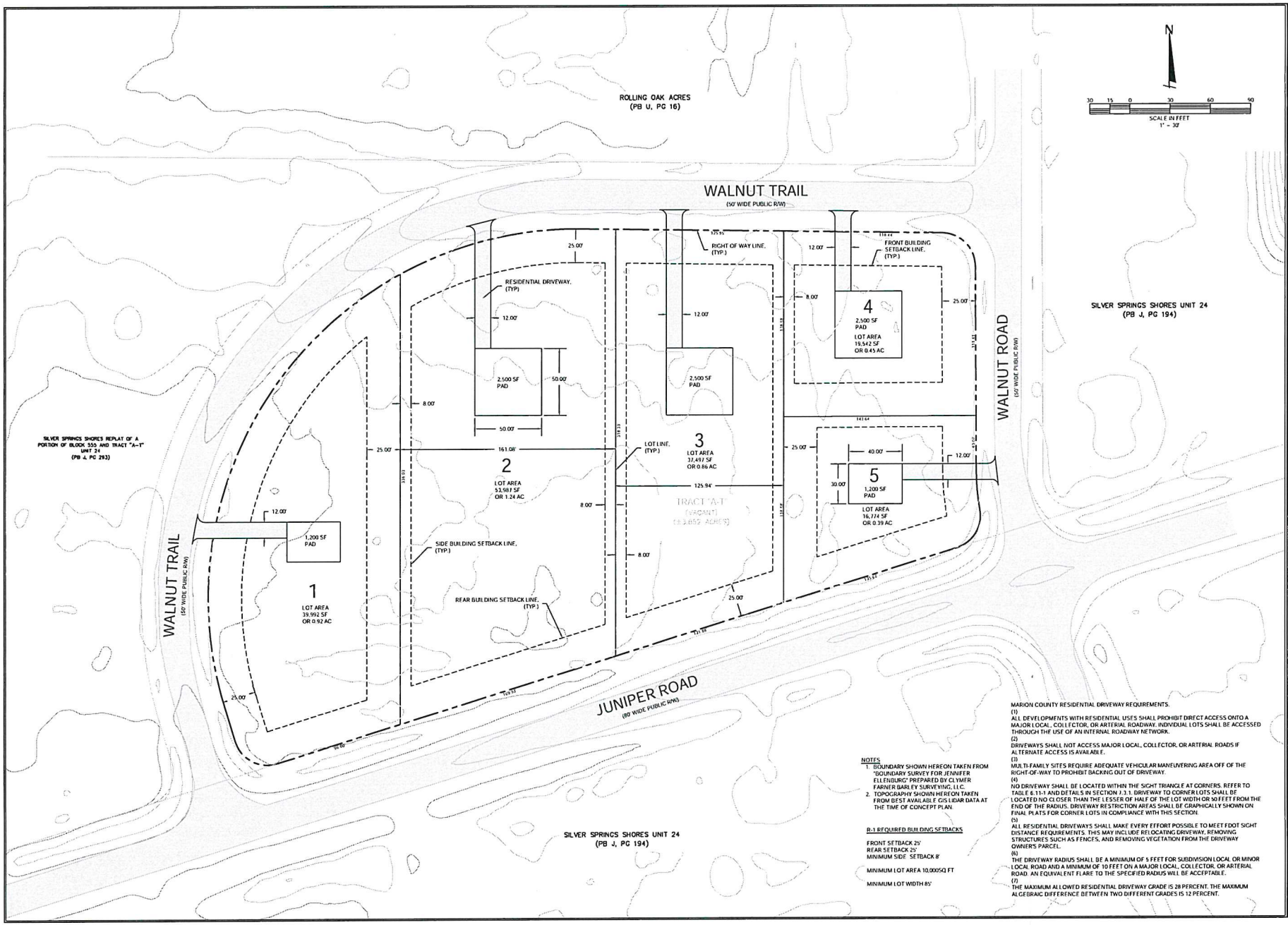
Property owner's signature **Date** 5/1/2025

Sworn to (or affirmed) and subscribed before me by means of ☑ physical presence or ☐ online notarization, this 1 **day of** May, 2025 **(year),**
by Jennifer Ellenburg **(name of person making statement).**
He/she is personally known to me or has produced FL DL **as identification.**
(Driver's license, etc.)

Notary public signature

GARRETT KRYGIER
Notary Public - State of Florida
Commission # HH 396101
My Comm. Expires May 9, 2027

State of FL **County of** Lake
My commission expires: May 9 2027



NOTES

1. BOUNDARY SHOWN HEREON TAKEN FROM "BOUNDARY SURVEY FOR JENNIFER ELLENBURG" PREPARED BY CLYMER FARNER BARLEY SURVEYING, LLC.
2. TOPOGRAPHY SHOWN HEREON TAKEN FROM BEST AVAILABLE GIS LIDAR DATA AT THE TIME OF CONCEPT PLAN.

R-1 REQUIRED BUILDING SETBACKS

FRONT SETBACK 25'
REAR SETBACK 25'
MINIMUM SIDE SETBACK 8'

MINIMUM LOT AREA 10,000SQ FT

MINIMUM LOT WIDTH 85'

MARION COUNTY RESIDENTIAL DRIVEWAY REQUIREMENTS.

(1)
ALL DEVELOPMENTS WITH RESIDENTIAL USES SHALL PROHIBIT DIRECT ACCESS ONTO A MAJOR LOCAL, COLLECTOR, OR ARTERIAL ROADWAY. INDIVIDUAL LOTS SHALL BE ACCESSED THROUGH THE USE OF AN INTERNAL ROADWAY NETWORK.

(2)
DRIVEWAYS SHALL NOT ACCESS MAJOR LOCAL, COLLECTOR, OR ARTERIAL ROADS IF ALTERNATE ACCESS IS AVAILABLE.

(3)
MULTI-FAMILY SITES REQUIRE ADEQUATE VEHICULAR MANEUVERING AREA OFF OF THE RIGHT-OF-WAY TO PROHIBIT BACKING OUT OF DRIVEWAY.

(4)
NO DRIVEWAY SHALL BE LOCATED WITHIN THE SIGHT TRIANGLE AT CORNERS. REFER TO TABLE 6.11.1 AND DETAILS IN SECTION 7.3.1. DRIVEWAY TO CORNER LOTS SHALL BE LOCATED NO CLOSER THAN THE LESSER OF HALF OF THE LOT WIDTH OR 50 FEET FROM THE END OF THE RADIUS. DRIVEWAY RESTRICTION AREAS SHALL BE GRAPHICALLY SHOWN ON FINAL PLATS FOR CORNER LOTS IN COMPLIANCE WITH THIS SECTION.

(5)
ALL RESIDENTIAL DRIVEWAYS SHALL MAKE EVERY EFFORT POSSIBLE TO MEET FDOT SIGHT DISTANCE REQUIREMENTS. THIS MAY INCLUDE RELOCATING DRIVEWAY, REMOVING STRUCTURES SUCH AS FENCES, AND REMOVING VEGETATION FROM THE DRIVEWAY OWNER'S PARCEL.

(6)
THE DRIVEWAY RADIUS SHALL BE A MINIMUM OF 5 FEET FOR SUBDIVISION LOCAL OR MINOR LOCAL ROAD AND A MINIMUM OF 10 FEET ON A MAJOR LOCAL, COLLECTOR, OR ARTERIAL ROAD. AN EQUIVALENT FLARE TO THE SPECIFIED RADIUS WILL BE ACCEPTABLE.

(7)
THE MAXIMUM ALLOWED RESIDENTIAL DRIVEWAY GRADE IS 28 PERCENT. THE MAXIMUM ALGEBRAIC DIFFERENCE BETWEEN TWO DIFFERENT GRADES IS 12 PERCENT.

BY	DATE	REVISIONS

CFB | CLYMER FARNER BARLEY
CLYMER FARNER BARLEY, Inc.
4440 NE 3RD AVENUE, OCALA, FL 34470
(352) 732-8135

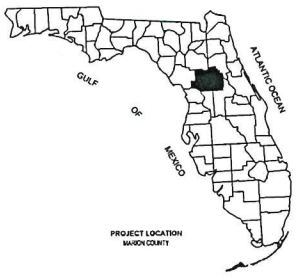
ELLENBURG SS SHORES UNIT 24
MARION COUNTY, FLORIDA PARCEL NO. 9024-0000-01

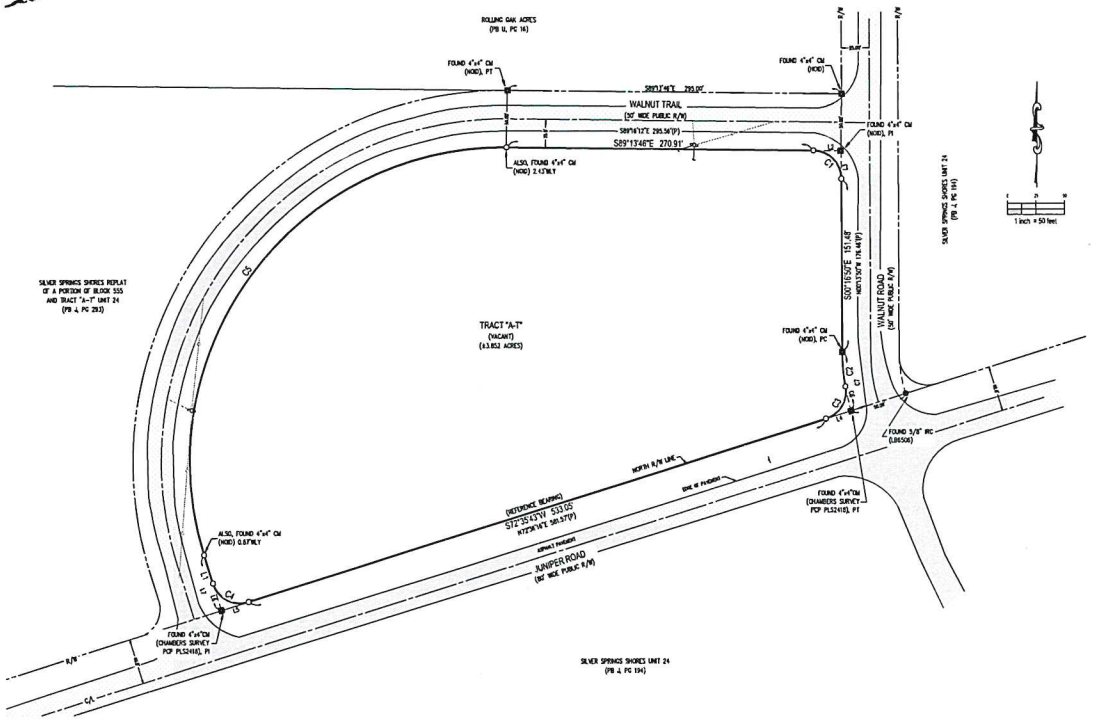
CONCEPT PLAN

SAVE DATE	01/17/25
DRAWN BY	JT
CHECKED BY	BC
PROJECT #	
FILE NAME	

SHEET NUMBER 1

BOUNDARY SURVEY
-FOR-
JENNIFER ELLENBURG
TRACT "A-T"
SILVER SPRING SHORES
REPLAT OF A PORTION OF BLOCK 555 AND TRACT "A-T" UNIT 24
PLAT BOOK J, PAGES 293
SECTION 12, TOWNSHIP 16 SOUTH, RANGE 22 EAST
MARION COUNTY, FLORIDA





LEGEND

±	MORE OR LESS
LB	LICENSED BUSINESS
PG	PAGE
PB	PLAT BOOK
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
PI	POINT OF INTERSECTION
(C)	CALCULATED MEASUREMENT
(P)	PLAT MEASUREMENT
OH	OVERHEAD UTILITIES
R/W	RIGHT-OF-WAY
C/L	CENTERLINE
CM	CONCRETE MONUMENT
IR	IRON ROD
IRC	IRON ROD AND CAP
NOID	NO IDENTIFICATION
NLY, ELY, SLY, & WLY	GENERAL CARDINAL DIRECTION (NORTHERLY, ETC)
	FOUND CONCRETE MONUMENT (AS NOTED)
	FOUND 5/8" IRON ROD & CAP (AS NOTED)
	SET 5/8" IRON ROD AND CAP (LB 8498)
	WOOD UTILITY POLE
	GUY ANCHOR
	SIGN
	OVERHEAD UTILITY LINE
	ASPHALT AREA

LEGAL DESCRIPTION:

TRACT A-T, SILVER SPRINGS SHORES UNIT 24, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK J, PAGE(S) 188 AS BEING PARTIALLY REPLATTED IN PLAT BOOK J, PAGE 293, OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.

SURVEY NOTES:

1. THIS IS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 5J-17.050 (11) FLORIDA ADMINISTRATIVE CODE.
2. BEARINGS SHOWN HEREON NOT DENOTED WITH (P) OR (C) ARE BASED ON GRID NORTH AS ESTABLISHED BY THE NATIONAL OCEAN SERVICE (NOS) THROUGH ITS PROGRAM OFFICE NATIONAL GEODETIC SURVEY (NGS). AS A REFERENCE FOR THIS SURVEY, THE NORTH RIGHT-OF-WAY OF JUNIPER ROAD HAS A BEARING OF SOUTH 72°35'43" WEST.
3. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983 WITH 2011 ADJUSTMENT.
4. ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM) NUMBER 12083C0730D, MARION COUNTY, FLORIDA, EFFECTIVE DATE OF AUGUST 28 2008, THE PROPERTY DESCRIBED HEREON LIES WITHIN ZONE "X".
5. THE DESCRIPTION OF THE LAND CONTAINED IN THIS BOUNDARY SURVEY IS BASED ON THE DESCRIPTION RECORDED IN THE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 7595, PAGE 500 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA. THIS SURVEY DOES NOT HAVE THE BENEFIT OF A CURRENT TITLE COMMITMENT, OPINION, OR ABSTRACT. DURING THE COURSE OF THE SURVEY SOME SEARCHES OF THE PUBLIC RECORDS WERE MADE, BUT THESE SEARCHES WERE NOT EXHAUSTIVE AND SHOULD NOT BE CONSIDERED A SUBSTITUTE FOR A PROPER TITLE COMMITMENT, OPINION, OR ABSTRACT OBTAINED FORM A TITLE AGENCY OR OTHER TITLE PROFESSIONAL.
6. NORTH-SOUTH AND EAST-WEST TIES TO FOUND MONUMENTATION AND IMPROVEMENTS ARE BASED ON CARDINAL DIRECTION, UNLESS ENDING IN "-LY" (NLY, ELY, SLY, WLY) WHICH ARE PERPENDICULAR TIES TO THE BOUNDARY LINE.
7. WETLAND AREAS, IF EXISTING, WERE NOT ADDRESSED AS A PART OF THIS SURVEY.
8. UNDERGROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED.
9. THIS SURVEY MAP AND REPORT (IF APPLICABLE) OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (IF A HARD COPY), OR THE ADOBE PDF CONTAINING THE ELECTRONIC SIGNATURE HAS NOT BEEN VALIDATED TO BE THE ORIGINAL SIGNED AND SEALED VERSION (IF AN ELECTRONIC FILE). IF AN ELECTRONIC FILE, PRINTED COPIES OF THE SURVEY MAP ARE NOT CONSIDERED TO BE A VALID SIGNED AND SEALED COPY.
10. RECORDING REFERENCES (SUCH AS OFFICIAL RECORDS BOOK AND PAGE, AND PLAT BOOK AND PAGE) SHOWN HEREON, REFER TO DOCUMENTS RECORDED IN THE OFFICIAL RECORDS OF MARION, FLORIDA.
11. DISTANCES AND ACREAGES SHOWN HEREON ARE MEASURED IN US SURVEY FEET AND DECIMALS THEREOF. MEASUREMENTS DEPICTED HEREON ARE FIELD DERIVED UNLESS OTHERWISE NOTED.

CURVE TABLE

CURVE TAG	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	25.00'	88°56'37"	38.81'	S44°45'18"E	35.03'
C2	178.57'	9°48'29"	30.56'	S05°10'58"E	30.52'
C3	25.00'	82°40'53"	36.08'	S31°15'17"W	33.01'
C4	25.00'	90°00'00"	39.27'	N62°23'47"W	35.36'
C5	274.22'	108°10'38"	518.69'	N38°40'26"E	445.01'
C6	178.57'	7°01'11"	21.88'	N13°35'43"W	21.86'
C7	178.57'	16°48'36"	52.44'	S08°41'35"E	52.25'

CURVE TABLE (P)

CURVE TAG	RADIUS	CENTRAL ANGLE	ARC LENGTH
C2	175.00'	9°59'03"	30.50'
C5	275.00'	108°07'23"	518.96'
C6	175.00'	7°07'54"	21.93
C7	175.00'	17°08'54"	52.43'

LINE TABLE

LINE TAG	BEARING	DISTANCE
L1	N17°24'13"W	26.01'
L2	S89°13'46"E	24.55'
L3	S00°14'58"E	24.55'
L4	N72°35'43"E	23.34'
L5	N72°35'43"E	25.00'
L6	S17°24'17"E	25.00'
L7	N17°24'13"W	51.01'

LINE TABLE (P)

LINE TAG	BEARING	DISTANCE
L7	N17°27'47"W	50.84'

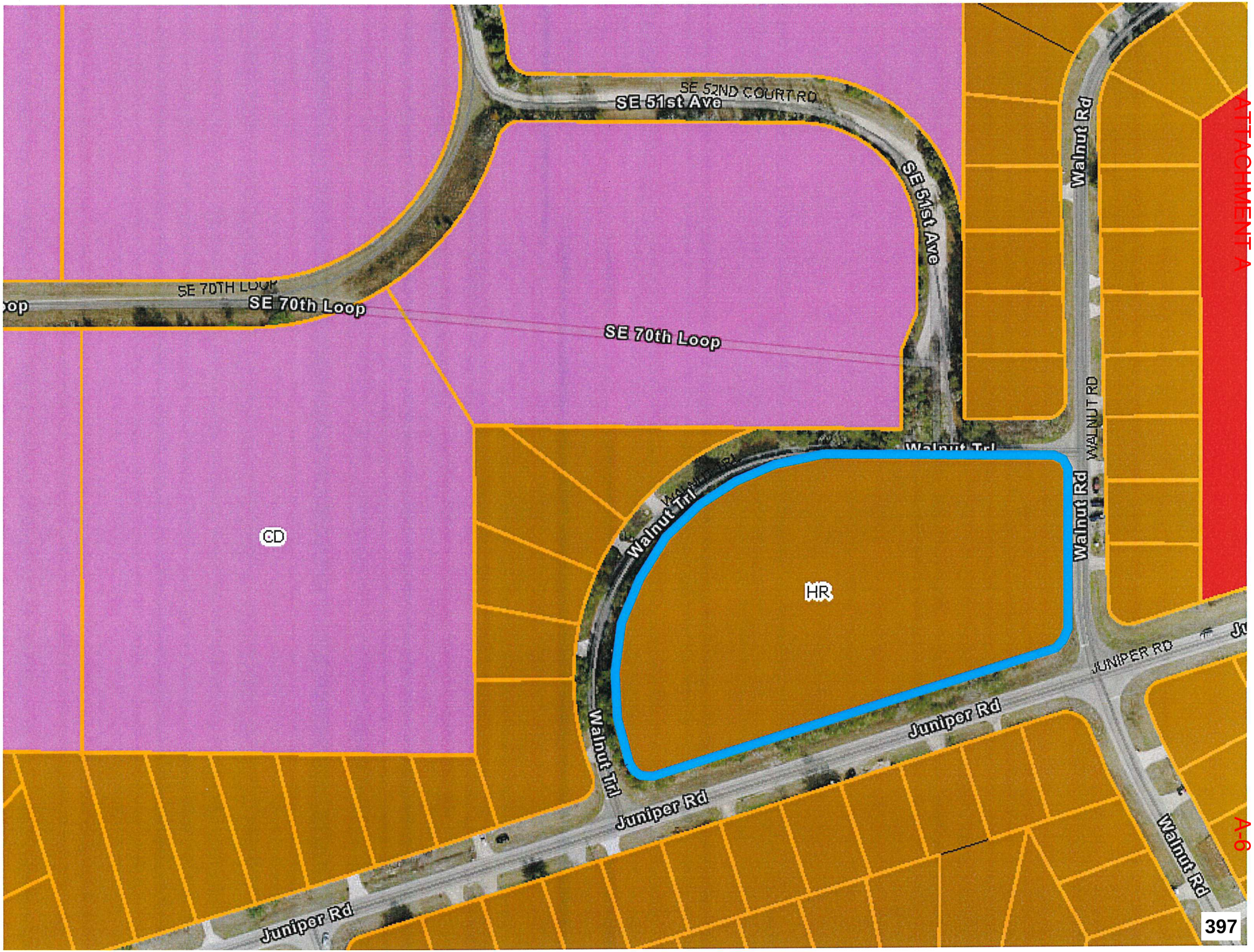
CERTIFIED TO:

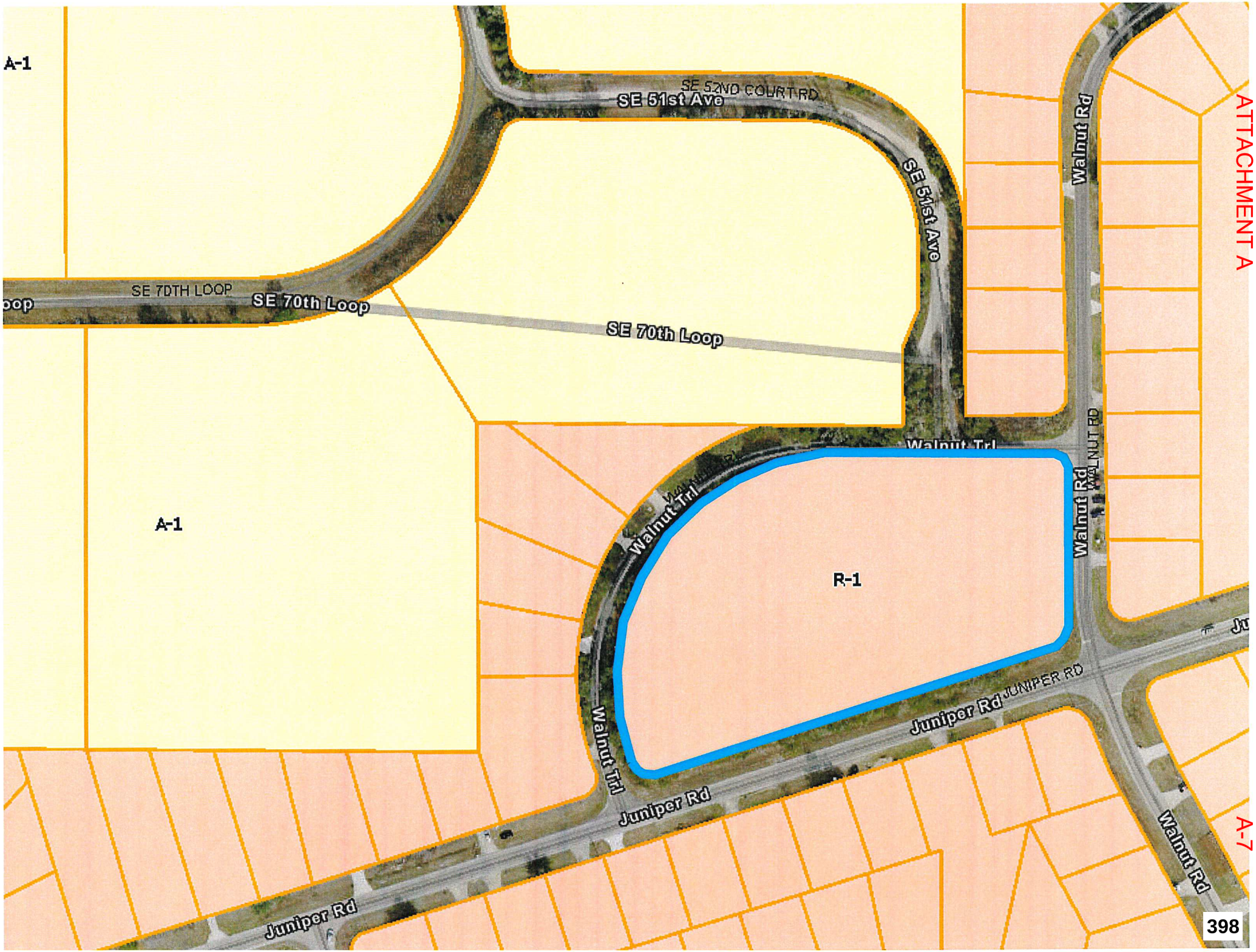
1) JENNIFER ELLENBURG

JAMES H. BLAIR, FLORIDA LICENSED SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 6917

CFB SURVEYING
CLIENT: JENNIFER ELLENBURG
JOB NO.: SP2024.03BW
DRAWING FILE: SP2024.03BW
SCALE: 1" = 50'
FIELD BOOK: 101-36, PAGE: 83
DATE OF SURVEY: 08/07/2024
REVISIONS
DATE
TRACT "A-T"
SILVER SPRINGS SHORES
SECTION 12, TOWNSHIP 16 SOUTH, RANGE 22 EAST
MARION COUNTY, FLORIDA
BOUNDARY SURVEY
FOR
JENNIFER ELLENBURG
SHEET 01 OF 01

ATTACHMENT A
A-5


SE 52ND COURT RD
SE 51st Ave
SE 51st Ave
Walnut Rd
SE 70TH LOOP
SE 70th Loop
SE 70th Loop
CD
Walnut Trl
Walnut Trl
WALNUT RD
Walnut Rd
HR
JUNIPER RD
Juniper Rd
Walnut Trl
Juniper Rd
Juniper Rd
Walnut Rd
ATTACHMENT A
A-6
397



ATTACHMENT A

A-7

Prepared by and return to:
Melissa Davis
Infinity Title Insurance Agency, LLC
2508 Northeast 8th Lane
Ocala, FL 34470
(352) 723-0030
File No 2024-361

Parcel Identification NoProperty 1:
9024-0000-01

[Space Above This Line For Recording Data]

WARRANTY DEED

(STATUTORY FORM – SECTION 689.02, F.S.)

This indenture made the **31st day of July, 2024** between **Aaron Fiehn, a single man**, whose post office address is **PO Box 1344, Ocala, FL 34478**, Grantor, to **Jennifer Ellenburg**, whose post office address is **24734 Shetland Trail, Sorrento, FL 32776**, Grantee:

Witnesseth, that said Grantor, for and in consideration of the sum of ONE HUNDRED FORTY TWO THOUSAND AND 00/100 (U.S.$142,000.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Marion, Florida, to-wit:

Tract A-T, SILVER SPRINGS SHORES UNIT NO. 24, according to the map or plat thereof, as recorded in Plat Book J, Page(s) 188 as being partially replated in Plat Book J, Page 293, of the Public Records of Marion County, Florida.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to taxes for 2023 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

GREGORY C HARRELL CLERK & COMPTROLLER MARION CO
CFN# 2024101043 BK 8387 Pgs 1598-1599 08/01/2024 11:03:29 AM
REC FEE 18.50 INDEX DEED DOC 994.00

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witnesses as to Grantor:

Printed Name: Heather L. Davis Sr.
Address: 2508 NE 8th Ln. Ocala FL 34470

Printed Name: Melissa Davis
Address: 2508 NE 8th Lane, Ocala, FL 34470

Aaron Fiehn

STATE OF FLORIDA
COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of (√) physical presence or ( ) online notarization this 31 day of July, 2024, by Aaron Fiehn.

Signature of Notary Public
Print, Type/Stamp Name of Notary

MELISSA DAVIS NOTARY PUBLIC MY COMMISSION EXPIRES 6-18-2028 STATE OF FLORIDA COMMISSION NUMBER HH 515906

Personally Known:_____ OR Produced Identification: √
Type of Identification Produced: DL

GREGORY C HARRELL MARION COUNTY FL
CFN# 2024101043 OR BK 8387 PG 1599 Pgs 1598-1599 08/01/2024 11:03:29 AM

Jimmy H. Cowan, Jr., CFA
Marion County Property Appraiser

501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card
Real Estate

9024-0000-01

Prime Key: 1434157 | MAP IT+ | Current as of 2/26/2025

Property Information

ELLENBURG JENNIFER
24734 SHETLAND TRL
SORRENTO FL 32776-8868

Taxes / Assessments:
Map ID: 215
Millage: 9001 - UNINCORPORATED

M.S.T.U.
PC: 00
Acres: 2.35

2024 Certified Value

Land Just Value	$56,400
Buildings	$0
Miscellaneous	$0
Total Just Value	$56,400
Total Assessed Value	$38,775
Exemptions	$0
Total Taxable	$38,775
School Taxable	$56,400

Impact Ex Codes: ($17,625)

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$56,400	$0	$0	$56,400	$38,775	$0	$38,775
2023	$35,250	$0	$0	$35,250	$35,250	$0	$35,250
2022	$32,900	$0	$0	$32,900	$32,900	$0	$32,900

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
8387/1598	07/2024	07 WARRANTY	4 V-APPRAISERS OPINION	Q	V	$142,000
7595/0500	10/2021	06 SPECIAL WARRANTY	4 V-APPRAISERS OPINION	Q	V	$79,900
2321/0322	12/1996	06 SPECIAL WARRANTY	7 PORTIONUND INT	U	V	$3,173,300
1143/0489	01/1983	07 WARRANTY	0	U	V	$100
DOR0/0088	01/1982	S5 DOR-05	0	U	V	$20,950

Property Description

SEC 12 TWP 16 RGE 22
PLAT BOOK J PAGE 188
SILVER SPRINGS SHORES UNIT 24
TRACT AT

Parent Parcel: 9024-0000-00

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
0001		582.0	176.0	R1	5.00	LT						

Neighborhood 2024 - SILVER SPRINGS SHORES UNIT 24
Mkt: 6 70

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width

Appraiser Notes

Planning and Building
** Permit Search **

Permit Number	Date Issued	Date Completed	Description

CFB | CLYMER FARNER BARLEY

VIA Hand Delivery
May 23, 2025

Elizabeth Madeloni, Dev. Review Coordinator
Marion County Growth Services
2710 E. Silver Springs Blvd.
Ocala Fl, 34470

RE: **ELLENBURG SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT SUBMITTAL**
CFB #EP2025.01649

Dear Ms. Madeloni:

Please find enclosed the following items regarding the above-mentioned project:

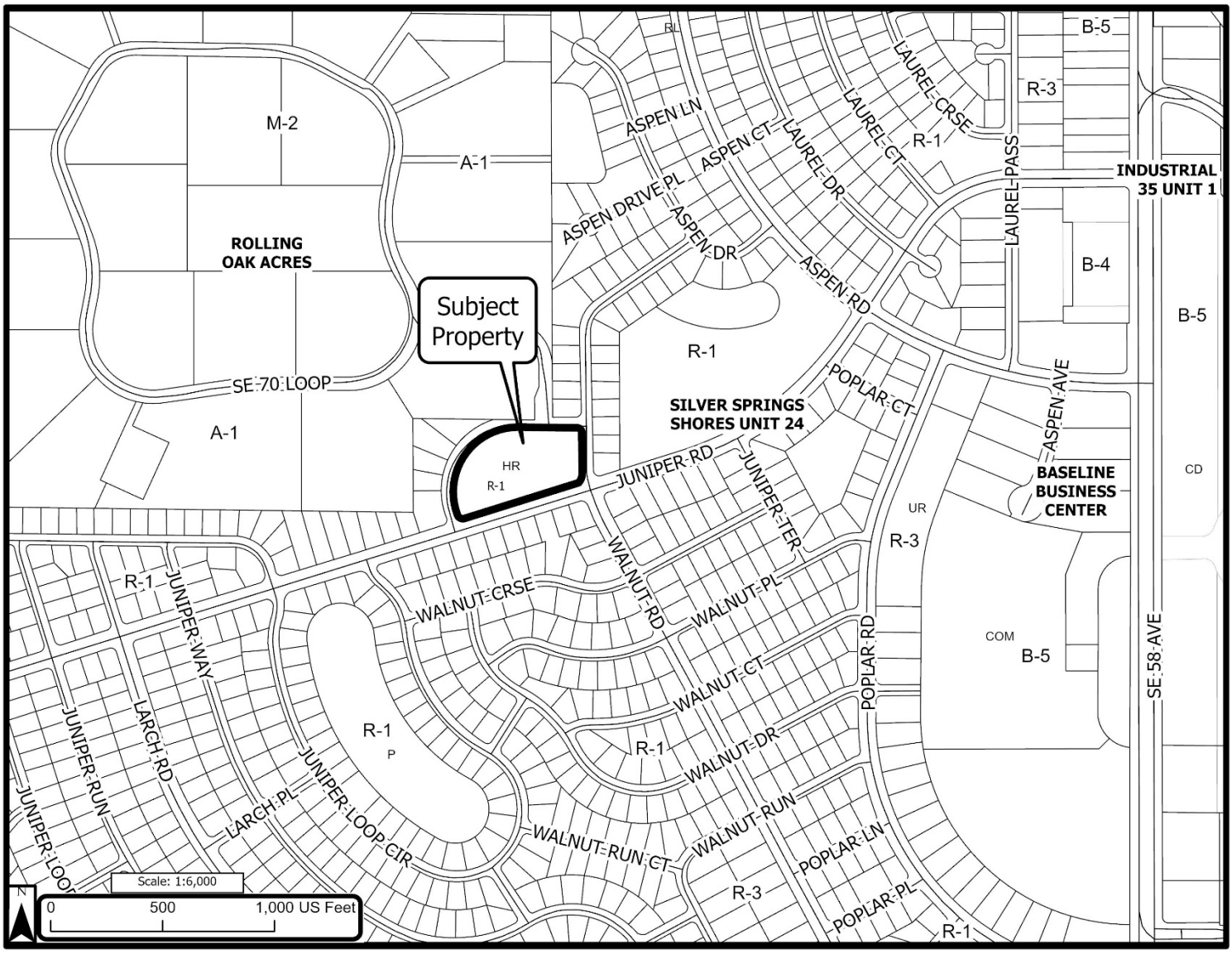
1. Small-Scale Comprehensive Plan Amendment Application.
2. Check in the amount of $3,000.00.
3. Property card and deed.
4. Boundary Survey.
5. Concept Plan.
6. Ellenburg FLU map.
7. Ellenburg Zoning map.

We request that this application be scheduled for the July 28, 2025, P&Z meeting. Please contact Beau Clymer, P.E. at bclymer@cfb-inc.com or Tracy Rayborn at trayborn@cfb-inc.com for notification of meeting date and or placards that need to be posted on site. Should you have any questions or need additional information please feel free to contact our office.

Sincerely,
Clymer Farner Barley, Inc.
Beau Clymer
Beau Clymer, P.E.
BC/tr

cc: Jennifer Ellenburg (w/encl.)

Public Notification for:
SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT **25-S11**
Marion County Growth Services Planning & Zoning (352) 438-2675



First Public Hearing: Planning & Zoning Commission ***07/28/2025 @ 5:30 p.m.***	**Owner(s):**	Jennifer Ellenburg
	Agent(s):	Clymer Farner Barley, Inc. c/o Beau Clymer.
	Location:	No Assigned Address
Second Public Hearing: Board of County Commissioners ***08/18/2025 1:30 p.m.***	**Parcel(s):**	9024-0000-01
	Zone(s):	R-1 (Single-Family Dwelling)
	Acre(s):	± 3.85

Public Hearing Location: 601 SE 25th Avenue, Ocala, FL 34471 - McPherson Governmental Campus Auditorium

Request Description: Requesting a small-scale map amendment from High Residential (HR) to Medium Residential (MR) for all permitted uses.

FLUM key: P= Public, RL= Rural Land, HR= High Residential, COM= Commercial.

You are receiving this notification because you own property that is located within 300' of the subject parcel(s)
If you have any questions, please call (352) 438-2675

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 a legal or official representation of legal boundaries.

Development Review Comments Letter

6/27/2025 4:17:49 PM

JENNIFER ELLENBURG 9024-0000-01
COMP PLAN SMALL SCALE MAP AMENDMENT #32895

ID	DESCRIPTION	REMARK	STATUS	DEPT
1	Comp Plan Small Scale Map Amendment	N/A - NO REVIEW NECESSARY	INFO	911
2	Comp Plan Small Scale Map Amendment	Stormwater is not opposed to the small-scale comprehensive plan amendment. The applicant proposes to change the future land use from HR to MR for the purpose of 5 residential lots. Stormwater has no objections. Please ensure LDC 6.13 is met with the Improvement Plans.	INFO	ENGDRN
3	Comp Plan Small Scale Map Amendment	6/10/25 - CONDITIONAL APPROVAL – The proposed Medium Residential land use will result in fewer trips than the current High Residential land use. Driveways for each lot must access Walnut Road or Walnut Trail and must comply with corner lot driveway restrictions.	INFO	ENGTRF
4	Comp Plan Small Scale Map Amendment	Approved	INFO	FRMSH
5	Comp Plan Small Scale Map Amendment	n/a	INFO	LSCAPE
6	Comp Plan Small Scale Map Amendment	The review will be conducted at the time of the reporting process.	INFO	LUCURR
7	Comp Plan Small Scale Map Amendment	Parcel is within the City of Belleview's Service Area. Application states site will be served by well and septic. A letter from the City of Belleview stating service availability and connection requirements, if any, shall be submitted prior to building permit issuance. Insure the City of Belleview has seen and approved utility connections, as they are not part of MCU's review process. Parcel is located within the Urban Growth Boundary and the Silver Springs, Primary Protection Zone.	INFO	UTIL
8	Comp Plan Small Scale Map Amendment	The review will be conducted at the time of the reporting process.	INFO	ZONE

25-S11 Site and Area Photographs

Sign was posted and photos were taken on July 11th, 2025.

Figure 1

Sign #1 Posted at Intersection of Juniper Rd & Walnut Trl (Close Up), Facing N

Figure 2

Sign #1 Posted at Intersection of Juniper Rd & Walnut Trl (Backed Up), Facing N

Figure 3

View of Adjacent Lots & Juniper Rd from Sign #1, Facing W

Figure 4

View of Adjacent Lots & Juniper Rd from Sign #1, Facing S

Figure 5

View of Adjacent Lots & Juniper Rd from Sign #1, Facing E

Figure 6

View of Typical Site Condition, Mid-Block Along Juniper Rd, Facing N

Figure 7

Sign #2 Posted at Intersection of Juniper Rd & Walnut Rd (Close Up), Facing N

Figure 8

Sign #2 Posted at Intersection of Juniper Rd & Walnut Rd (Backed Up), Facing NW

Figure 9

View of Adjacent Lots & Juniper Rd from Sign #2, Facing W

Figure 10

View of Adjacent Lots & Intersection of Juniper Rd & Walnut Rd from Sign #2, Facing S

Figure 11

View of Adjacent Lots & Intersection of Juniper Rd & Walnut Rd from Sign #2, Facing E

Figure 12

View of Adjacent Lots & Walnut Rd from Sign #2, Facing N

Figure 13

View of Site from Intersection of Walnut Rd & Walnut Trl, Facing SW

Figure 14

View of Rolling Acres Entrance, Facing N

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19926 **Agenda Date:** 7/28/2025 **Agenda No.:** 2.1.

SUBJECT:
250502SU - Jacquelyn Brady and Fish Hawk Spirits, LLC, Special Use Permit to Allow for the Operation of an Artisanal Micro-Distillery, in a General Agriculture (A-1) Zone, 2.13-Acre Tract, Parcel Account Numbers 2091-008-002 and 2091-008-003, Site Address 16350 SW 20th Lane, Ocala, FL 34481

DESCRIPTION/BACKGROUND:
Applicant, David Molyneaux, on behalf of property owners, Jacquelyn Brady and Fish Hawk Spirits LLC., has filed a special use permit for operation of an artisanal micro-distillery in a General Agriculture (A-1) zoning classification within Westwood Acres North subdivision on a combined 2.13-acre property consisting of two parcels, pursuant to the provisions of Land Development Code (LDC) Division 2.8 - Special Use Permit, and LDC Section 4.2.3. The subject property is situated outside the Urban Growth Boundary (UGB) and in the County's Primary Springs Protection Overlay Zone (P-SPOZ).

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

P&ZC Date: 07/28/2025	**BCC Date: 08/19/2025**
Case Number:	250502SU
CDP-AR:	32463
Type of Case:	**Special Use Permit** to allow for an artisanal micro-distillery in a General Agriculture (A-1) zoning classification.
Owner	Jacquelyn Brady
Applicant	David Molyneaux
Street Address	16350 SW 20th Ln. Ocala, FL, 34481
Parcel Number	2091-008-002, 2091-008-003
Property Size	±2.13 acres
Future Land Use	Rural Land (RL)
Zoning Classification	General Agriculture (A-1)
Overlay Zone/Scenic Area	Primary Springs Protection Overlay Zone (PSPOZ)
Staff Recommendation	**Denial**
P&ZC Recommendation	**TBD**
Project Planner	Kathleen Brugnoli, Planner II
Related Case(s)	120506SU: Artisanal micro-distillery – approved; 151103SU: Distillery renewal – approved; 211205V: Reduce eastern and southern setbacks - approved; 211221SU: Distillery expansion with gift shop and tasting room – approved.

I. ITEM SUMMARY

David Molyneaux has filed an application for a special use permit to allow for an artisanal micro-distillery in a General Agriculture (A-1) zoning classification (see Attachment A). Figure 1 is an aerial photograph showing the location of the subject property. The Property Identification Numbers associated with the property are 2091-008-002 and 2091-008-003, Address: 16350 SW 20th Ln. Ocala, FL, 34481, and the legal description is displayed on the deed included as part of the application. The subject property is located within the Primary Springs Protection Overlay Zone (P-SPOZ).

Figure 1
Aerial Photograph of Subject Property

II. STAFF SUMMARY RECOMMENDATION

Staff recommends **DENIAL** due to the request being inconsistent with the Marion County Comprehensive Plan, incompatible with the surrounding area, and adversely affecting the public interest as specified in Section VI.B. of this Staff Report. The recommended conditions are being imposed to address compliance with the requirements in LDC Sections 2.8.2.D and 2.8.3.B. However, staff has concerns about approving with conditions due to noncompliance with previously imposed conditions for the same use by the same applicants in 2012, 2015, and 2021.

III. NOTICE OF PUBLIC HEARING

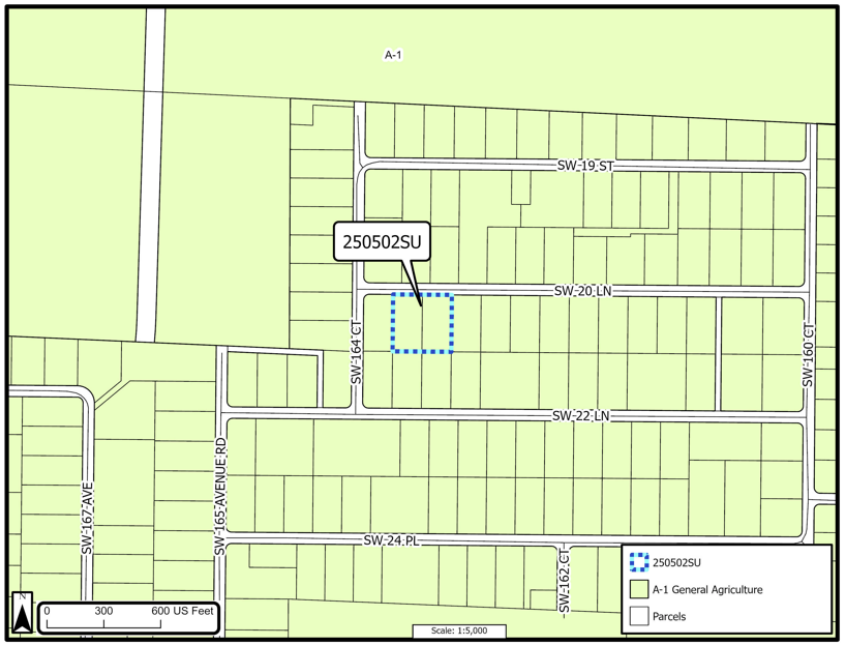
The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C and 2.7.3.B to apply to SUP applications. LDC Section 2.7.3.C requires notice of public hearing be mailed to all property owners within 300 feet of the subject property and notice was mailed to (16) property owners on July 11 2025. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on July 14, 2025, and consistent with LDC Section 2.8.3.E. due public notice was published in the Ocala Star-Banner on July 14, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference.

IV. BACKGROUND/CHARACTER OF THE AREA

A. *Existing site conditions*. Figure 2 provides zoning classification information while Figure 3 shows the FLUMS designation for the area. Table 1 outlines the existing uses of the surrounding area, while Figure 4 illustrates those uses in relation to the subject property. As illustrated, the subject properties are developed as residential with some agricultural use. A site visit was conducted on July 14, 2025 (Attachment B). The property is heavily treed at the entrance of the parcel, but the distillery can be seen when looking down the driveway towards the rear of the property. Staff was unable to obtain permission to enter the property in time for the site visit so photos were limited to what could be seen from the road. However, the findings of facts (Attachment A Page 15) state there have been no improvements or changes since the last special use permit was approved in 2021. An extensive site visit was conducted for the 2021 case and supplemental photos were included with Attachment B from that visit.

B. *Zoning district map*. Figure 2 shows the subject property designated as General Agriculture (A-1). Surrounding properties are also designated as General Agriculture (A-1).

Figure 2
Zoning Classification



C. *FLUMS designation*. Figure 3 is the FLUMS and shows the subject property as Rural Land (RL) land use (1 du/ 10 ac) with the same land use surrounding.

Figure 3
Future Land Use Map Series

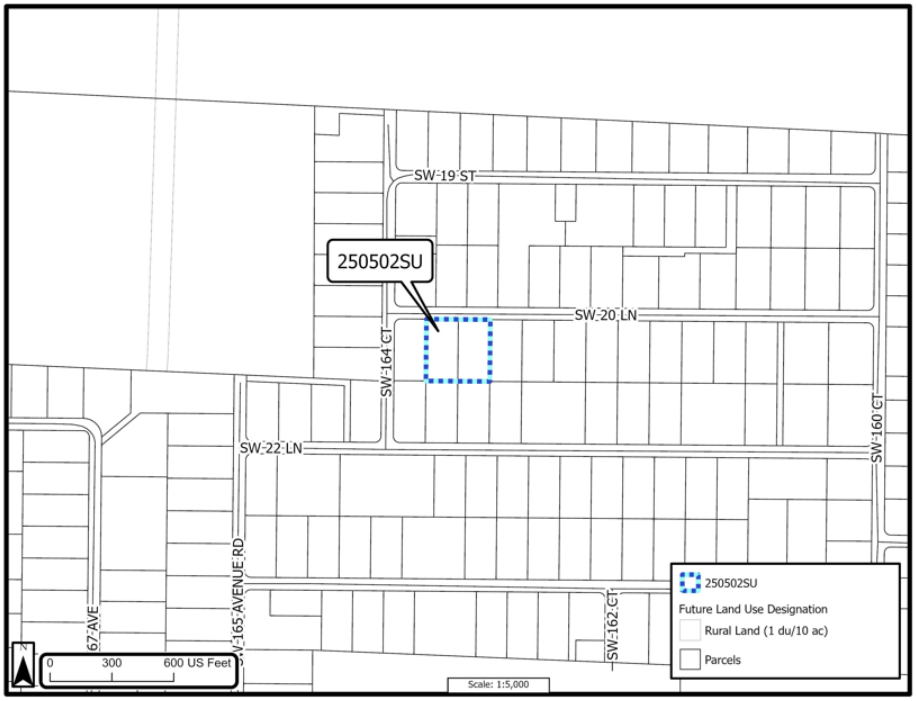


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	**FLUMS**	**Zoning**	**Existing Use**
Site	Rural Land (RL)	General Agriculture (A-1)	Ag Production
North	Rural Land (RL)	General Agriculture (A-1)	Vacant Residential
South	Rural Land (RL)	General Agriculture (A-1)	Vacant Residential Manufactured Home Residential
East	Rural Land (RL)	General Agriculture (A-1)	Vacant Residential
West	Rural Land (RL)	General Agriculture (A-1)	Vacant Residential

Figure 4
MCPA Property Uses

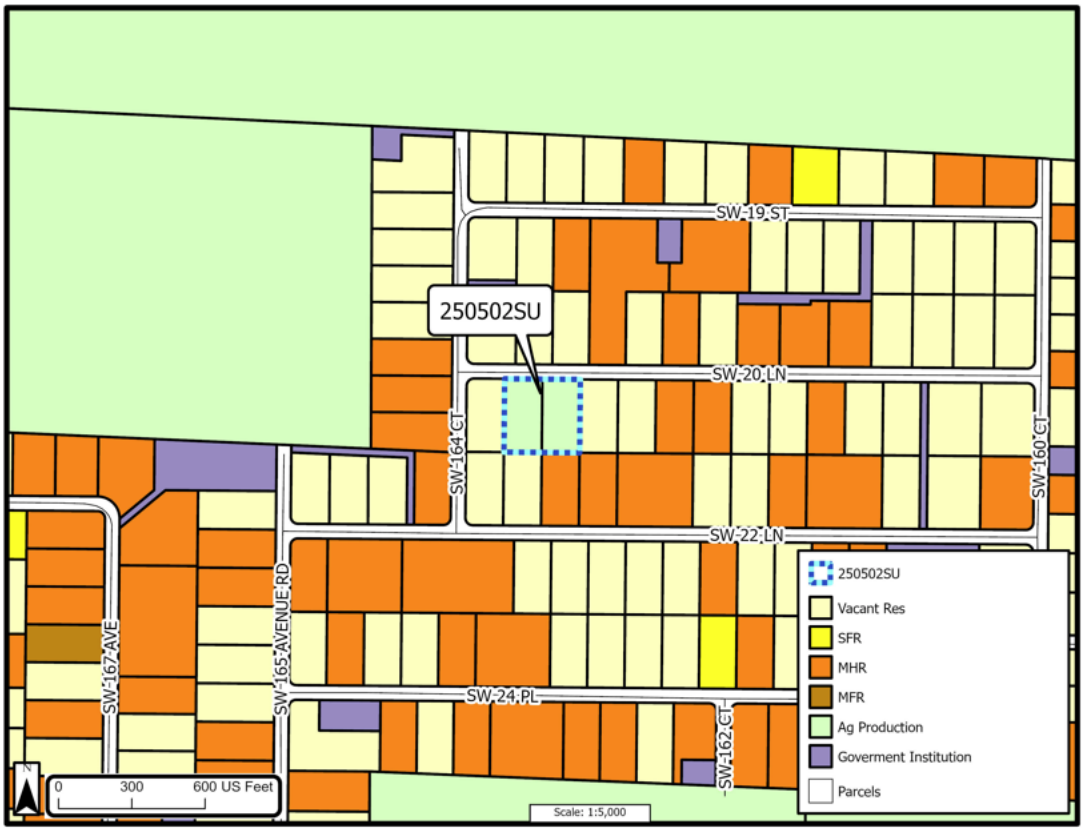
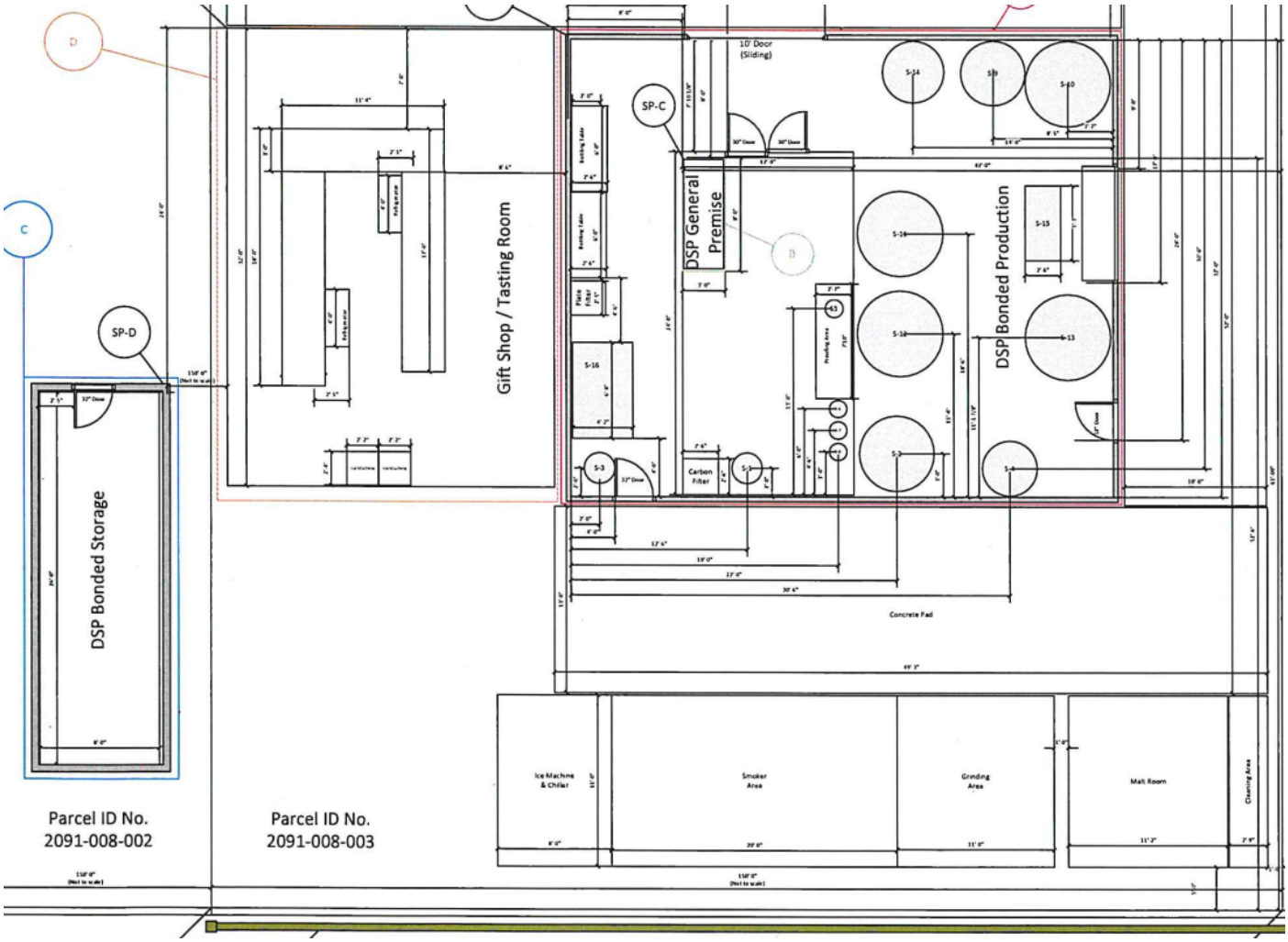


Figure 5
Concept Plan



V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding the SUP addresses nine (9) specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements are addressed below.

A. *Provision for **ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe*.

Analysis: The parcel has an existing unpaved driveway with access on to SW 20th Lane, an unpaved OCE maintained road. Traffic provided concerns with Traffic Staff concludes that the application **is consistent** with provisions for ingress and egress.

- Access to the site shall be from SW 20th Lane.

B. *Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area*.

Analysis: Parking on the property is taking place on an unpaved undefined area with no designated parking spot for individuals with a disabled parking permit. The site plan provided indicates a 50'x40' parking area north of the distillery production area (Attachment A Page 20). The distillery website (Attachment C Page 2) states they can accommodate tours up to 18 people which, using a bar as similar use for parking figures, would necessitate five (5) parking spaces in addition to a minimum of two (2) parking spaces for the existing residence per Marion County Land Development Code (LDC) requirements required a total of seven (7) spaces. The 2021 staff report (Attachment D Page 10) provided similar findings with the same concerns staff has today over clearly delineated parking spaces and if minimum parking space requirements are being met. The findings of facts state, "no odor, glare, or noise are being generated from the distillery operation (Attachment A Page 15)." Staff finds the application is **not consistent** with provisions for off-street parking and loading areas as well as noise.

- Convert one of the existing parking spaces to be for disabled permit parking and indicate this with a sign and lined parking space.
- Clearly indicate on site plan where parking spaces are and how many are provided.

C. *Provisions for **refuse and service area**, with particular reference to the items in (1) and (2) above*.

Analysis: Waste removal for the property is not addressed in the Findings of Facts but is likely taking place with the residential trash removal of the existing residence on-site. Staff concludes the application **may or may not be consistent** with provisions for refuse.

D. *Provision for **utilities**, with reference to locations, availability, and compatibility*.

Analysis: Findings of Facts from the applicant state underground power serves the property with electricity and that, "There is a well on the backside of the distillery which provides both the house and business. There is a septic tank onsite that is connected to the house (Attachment A Page 15)." Development Review Committee (DRC) comments (Attachment E Page 1) provided by Department of

Health state, *"Requires regulated well by Department of Environmental Protection (DEP) or Department of Health (DOH). Please provide proof of regulation of the water system. If serving alcohol, the business will require a food permit through the Department of Health in Marion County. Will require a septic permit to determine if the existing system is sufficient for proposed use."* The special use being requested has been taking place on-site since 2012 with the structures utilized for the business still being unpermitted. Staff has concerns with the unpermitted status of the buildings being used as this likely means DOH and DEP do not know the distillery use, tours, tasting room, etc. are taking place here already and using well/septic that was permitted for one residential home. Staff finds the application is **not consistent** with the provisions for utilities.

- The applicant must acquire necessary permits for well/septic and the uses taking place on the property as required by DEP and DOH.

E. *Provision for **screening and buffering** of dissimilar uses and of adjacent properties where necessary*.

Analysis: A fence is provided along the southern property boundary line of parcel 2091-008-003 where the residence and distillery are located. The property to the west is owned by the applicant who leases the property where the distillery and residence are located. No buffers along the eastern or northern property boundary lines are indicated. With the condition provided below, staff finds the application **consistent** with the provision for screening and buffering.

- A minimum 6' opaque fence is required along the eastern boundary line screening all distillery operations and parking from the eastern neighboring property.

F. *Provision for **signs**, if any, **and exterior lighting** with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area*.

Analysis: Exterior lighting and signs were not addressed in the findings of facts for the SUP. Lighting would need to follow Marion County LDC requirements if proposed in the future. Meeting the provided conditions, the application is **consistent** with the signs and exterior lighting requirements of this section.

- Any exterior lighting added will need to be placed in a way that does not illuminate off-site onto neighboring properties.
- No commercial signage shall be allowed on-site.

G. *Provision for **required yards and other green space***.

Analysis: The parcels in aggregate are 2.13 acres in size with the western parcel being for crop cultivation and one storage structure related to the distillery operation. All other listed activities are taking place on the eastern property. During the site plan review with DRC, required yards and green spaces will be analyzed and any stormwater improvements required will also be provided at this time. Staff notes that the aerial of the property shows a series of raised beds that appear to be encroaching on the property contiguous to the east of the distillery and residence. These same raised beds were referenced in the 2021 report (Attachment D Page 10) where staff was told the applicant was pursuing purchase of the property. As of July 2025, the property to the east has not been purchased by the applicant and the raised beds have not be relocated to an area where they are not encroaching on the neighboring property. With the proposed conditions, the application is **consistent** with yards and other green spaces.

- Site plan review through Development Review Committee will take place within 45 days of the approval of this special use permit.
- Raised beds encroaching on the neighboring property to the east will be moved and placed entirely on the subject property.

H. *Provision for general **compatibility** with adjacent properties and other property in the surrounding area*.

Analysis: Compatibility is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, as "*a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*"

Figure 1 is an aerial photograph displaying existing and surrounding properties. Figure 4 displays the same properties based on their use code per Marion County Property Appraiser. The uses surrounding this property according to MCPA are vacant residential and improved residential with mobile homes. Though the zoning is A-1, two subject properties are the only ones in the neighborhood labeled as Ag Production. The use requested must be granted by special use because its not a use permitted in A-1 and the subsequent expansion increased the intensity of the use even with staff recommending denial in 2021 citing the same concerns provided with this analysis. Based on repeated situations of non-compliance with the required conditions set in place by the granting of the special use permit, staff finds the application is **not consistent** with the provision for compatibility.

I. *Provision for meeting any **special requirements** required by the site analysis for the particular use involved*.

Analysis: Staff notes that unlike a variance, which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. Staff recommends the following policy for future development of the property.

- The site shall be developed and operated consistent with the Special Use Permit Application, the submitted conceptual plan, and the conditions as provided with this approval.
- The special use permit shall expire on 08/18/2030
- The special use permit shall automatically be revoked if:
    - A site plan review with Development Review Committee has not been completed within 45 days from the date of approval of this special use permit.
    - Building permits for all unpermitted work are not completed within 90 days from the date of approval of this special use permit.
- The artisanal micro-distillery structures and operations shall be conducted consistent with the following:
    - On PID# 2091-008-002:
        - Distillery storage building (DSP Bonded Storage) – 8’ x 26’ = 208 SF
    - On PID# 2091-008-003:
        - Main distillery building (SDP General Premise and DSP Bonded Production) – 38’ x 32’ = 1,1216 SF
        - Gift shop/tasting room – 24’ x 32’ = 768 SF
        - South accessory/processing areas:
        - Ice Machine & Chiller – 8 x 11’ = 88 SF
        - Smoker Area – 20’ x 11’ = 220 SF
        - Grinding Area – 11’ x 11’ = 121 SF
        - Malt Room (shed) – 11’2” x 11’ = 123 SF
        - Cleaning Area – 2’9” x 11’ = 30 SF
        - Gift shop/tasting room single-stall restroom – (currently ±4’ x SF ±4’ = ±16 SF),
        - SW Corner - Metal storage shed – ±10’ x ±12’ = 120 SF
- Tasting room events shall be conducted by appointment only, with a maximum of eighteen (18) participants per tasing event. Tasking events will be limited to one event per day, Thursday through Sunday, and all tasting events will conclude at or before 8 p.m.
- All gift shop operations and sales shall be conducted as part of the tasting room operation/experience; no independent commercial sales shall occur on-site.
- A corporate business officer and/or partner in Fish Hawk Spirits, LLC, shall reside on-site on Parcel Number 2091-008-003
- The special Use Permit shall run with the owners (Jacquelyn F. Brady and Fish Hawk Spirits, LLC) and leasing operator, Fish Hawk Spirits, LLC, and not the property. In the event Jacquelyn F. Brady sells the property to Fish Hawk Spirits, LLC the Special Use Permit will remain valid with Fish Hawk Spirits, LLC then identified as the owner/operator. Any other change in ownership and/or any change in the leading operator shall cause the Special Use Permit to expire; however a new Special Use Permit Application to modify the ownership and leasing operator requirements may be submitted for consideration through the Special Use Permit review process (or review process equivalent at that time).

J. *Consistency with the Comprehensive Plan*.

1. Policy 2.1.5: **Permitted & Special Uses** – The county shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.

   Analysis: LDC Section 4.2.3(C) allows for Special Use Permits and while this use is not specifically listed, this special use was taking place prior to the legal findings that state A-1 properties may only request special uses specifically listed in the LDC. Thus, the application is **consistent** with FLUE Policy 2.1.5.

Based on the above findings, staff concludes the SUP is inconsistent with LDC Sections 2.8.2.D and 2.8.3.B as well as the Comprehensive Plan.

VI. ALTERNATIVE RECOMMENDATIONS

A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to the Commission to adopt a proposed Ordinance to **APPROVE** the special use permit.

B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions, and make a recommendation to the Commission to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.

C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to the Commission to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

A. Staff recommends the Board enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to adopt a proposed Ordinance **DENY** the special use permit based on compatibility in the area, compliance with the Comprehensive Plan, and a lack of adverse impacts to the surrounding area.

B. In the event that the Board chooses to disagree with staff and approve the proposed Special Use Permit, to address compliance with LDC Sections 2.8.2.D and 2.8.3.B, staff recommends the following conditions be imposed. However, staff has concerns with approval with conditions given the history of non-compliance with previously provided approvals with conditions:

- Access to the site shall be from SW 20th Lane.
- Convert one of the existing parking spaces to be for disabled permit parking and indicate this with a sign and lined parking space.
- Clearly indicate on site plan where parking spaces are and how many are provided.
- The applicant must acquire necessary permits for well/septic and the uses taking place on the property as required by DEP and DOH.
- A minimum 6' opaque fence is required along the eastern boundary line screening all distillery operations and parking from the eastern neighboring property.
- Any exterior lighting added will need to be placed in a way that does not illuminate off-site onto neighboring properties.
- No commercial signage shall be allowed on-site.
- Site plan review through Development Review Committee will take place within 45 days of the approval of this special use permit.
- Raised beds encroaching on the neighboring property to the east will be moved and placed entirely on the subject property.
- The site shall be developed and operated consistent with the Special Use Permit Application, the submitted conceptual plan, and the conditions as provided with this approval.
- The special use permit shall expire on 08/18/2030
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    - A site plan review with Development Review Committee has not been completed within 45 days from the date of approval of this special use permit.
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be limited to one event per day, Thursday through Sunday, and all tasting events will conclude at or before 8 p.m.

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VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

To be determined.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

A. SUP Application.
B. Site Photos.
C. Fish Hawk Website
D. Historical Information
E. DRC Comments.
F. Surrounding Property Owner Map.

Marion County
Board of County Commissioners

Growth Services ◆ Planning & Zoning

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

STAFF/OFFICE USE ONLY	
Case No.:	
AR No.:	32463
PA:	2091-008-003
	2091-008-002

__ New or Modification $1,000
__ Expired $1,000
__ Renewal (no changes) $300

SPECIAL USE PERMIT APPLICATION

The undersigned hereby requests a Special Use Permit in accordance with Marion County Land Development Code, Articles 2 and 4, for the purpose of: Operation of an Artisanal micro-distillery

Property/Site Address: 16350 and 16400 SW 20th Ln, Ocala, FL 34481
Property Dimensions: 155' x 300' (x 2) **Total Acreage:** 2.13

Legal Description: (Please attach a copy of the deed and location map.) **Parcel Zoning:** A-1

Parcel Account Number(s): 2091-008-003 and 2091-008-002

Each property owner(s) MUST sign this application or provide written authorization naming the applicant or agent below to act on their behalf. **Please print all information, except for the Owner and Applicant/Agent *signature*. If multiple owners or applicants, please use additional pages.**

Jacquelyn Brady	David Molyneaux
Property Owner Name (please print)	**Applicant or Agent Name (please print)**
1180 SW 158th Ln	16350 SW 20th Ln
Mailing Address	**Mailing Address**
Ocala, FL 34481	Ocala, FL 34481
City, State, Zip Code	**City, State, Zip Code**
(352) 812-3979	(352) 222-1520
Phone Number (include area code)	**Phone Number (include area code)**
hubie56@aol.com	david.molyneaux@outlook.com
E-Mail Address (include complete address)	**E-Mail Address (include complete address)**
Jacquelyn Z Brady	David Molyneaux
Signatures*	***Signatures***

*By signing this application, applicant hereby authorizes Growth Services to enter onto, inspect, and traverse the property indicated above, to the extent Growth Services deems necessary, for the purposes of assessing this application and inspecting for compliance with County ordinance and any applicable permits.

STAFF/OFFICE USE ONLY				
Project No.: 201509000 4	Code Case No.: N/A		Application No.:	
Rcvd by: KCB	Rcvd Date: 2 / 6 /25	FLUM: RL	AR No.: 32463	Rev: 10/20/21

Please note: The Special Use Permit will not become effective until after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent must be present at the public hearing to represent this application. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is non-refundable.

For more information, please contact the Zoning Division at 352-438-2675.

RESIDENTIAL LEASE

3/2 Frame Home

16350 SW 20th Lane

OCALA, FL. 34481

(Not otherwise rented to Fish Hawk Spirits)

THIS IS A NON-SMOKING RESIDENCE

BY THIS AGREEMENT made and entered into on **January 1, 2022** between **Jacquelyn Brady**, herein referred to as Lessor, **and R. Matthew Bagdanovich** , herein referred to as Lessee, Lessor leases to Lessee the premises situated at **16350 SW 20th Lane**, in the City of **Ocala**, County of Marion, State of **Florida**, and more particularly described as follows: **A 3/2 Frame Home**, together with all appurtenances, for 1 year Rental Lease to commence on **January 1, 2025 and shall end with the end of Fish Hawk Spirits LLC lease or tenancy. INITIAL HERE:** _____

1. Rent. Lessee agrees to pay, without demand, to Lessor as rent for the demised premises the sum of $1.00 per year beginning **January 1, 2025 at 16350 SW 20th Lane, City of Ocala, State of Florida, not otherwise rented to Fish Hawk Spirits,** or at such other place as Lessor may designate.

2. Security Deposit none

3. Quiet Enjoyment. Lessor covenants that on paying the rent and performing the covenants herein contained, Lessee shall peacefully and quietly have, hold, and enjoy the demised premises for the agreed term.

4. Use of Premises. The demised premises shall be used and occupied by Lessee exclusively as a private single family residence, and neither the premises nor any part thereof shall be used at any time during the term of this lease by Lessee for the purpose of carrying on any business, profession, or trade of any kind, or for any purpose other than as a private single family residence. Lessee shall comply with all the sanitary laws, ordinances, rules, and orders of appropriate governmental authorities affecting the cleanliness, occupancy, and preservation of the demised premises, and the sidewalks connected thereto, during the term of this lease. Notwithstanding the foregoing, Lessee and Lessor agree that the restroom located on the Premises shall be available at all times to employees and contractors of Fish Hawk Spirits, LLC. Nothing herein authorizes the use of such restroom for customers of Fish Hawk Spirits, LLC.

5. Number of Occupants. Lessee agrees that the demised premises shall be occupied by no more than **(5) people**, consisting of **4 adults and 1 child**, without the written consent of Lessor.

6. Condition of Premises. Lessee stipulates that he has examined the demised premises, including the grounds and all buildings and improvements, and that they are, at the time of this lease, in good order, repair, and a safe, clean, and tenantable condition.

7. Assignments and Subletting. Without the prior written consent of Lessor, Lessee shall not assign this lease, or sublet or grant any concession or license to use the premises or any part thereof. A consent by Lessor to one assignment, subletting, concession, or license shall not be deemed to be a consent to any subsequent assignment, subletting, concession, or license. An assignment, subletting, concession, or license without the prior written consent of Lessor, or an assignment or subletting by operation of law, shall be void and shall, at Lessor's option, terminate this lease.

8. Alterations and Improvements. Lessee shall make NO alterations to the buildings on the demised premises or construct any building or make other improvements on the demised premises without the prior written consent of Lessor. All alterations, changes, and improvements built, constructed, or placed on the demised premises by Lessee, with the exception of fixtures removable without damage to the premises and movable personal property, shall, unless otherwise provided by written agreement between Lessor and Lessee, be the property of Lessor and remain on the demised premises at the expiration or sooner termination of this lease.

9. Damage to Premises. If the demised premises, or any part thereof, shall be partially damaged by fire or other casualty not due to Lessee's negligence or willful act or that of his employee, family, agent, or visitor, the premises shall be promptly repaired by Lessor and there shall be an abatement of rent corresponding with the time during which, and the extent to which, the leased premises may have been untenantable; but, if the leased premises should be damaged other than by Lessee's negligence or willful act or that of his employee, family, agent, or visitor to the extent that Lessor shall decide not to rebuild or repair, the term of this lease shall end and the rent shall be prorated up to the time of the damage.

10. Dangerous Materials. Lessee shall not keep or have on the leased premises any article or thing of a dangerous, inflammable, or explosive character that might unreasonably increase the danger of fire on the leased premises or that might be considered hazardous or extra hazardous by any responsible insurance company.

11. Utilities. Lessee shall be responsible for arranging for and paying for all taxes, property insurance utility services required on the premises, except that none shall be provided by Lessor.

12. Right of Inspection. Lessor and his agents shall have the right at all times during the term of this lease and any renewal thereof to enter the demised premises for the purpose of inspecting the premises and all building and improvements thereon.

13. Maintenance and Repair. Lessee will, at his sole expense, keep and maintain the leased premises and appurtenances in good and sanitary condition and repair during the term of this lease and any renewal thereof. In particular, Lessee shall keep the fixtures in the house or on or about the leased premises in good order and repair; keep the furnace clean; keep the walks free from dirt and debris; and, at his sole expense, shall make all required repairs to the plumbing, range, heating, apparatus, and electric and gas fixtures whenever damage thereto shall have resulted from Lessee's misuse, waste, or neglect or that of his employees, family, agent, or visitor. Major maintenance and repair of the leased premises, not due to Lessee's misuse, waste, or neglect or that of his employee, family, agent, or visitor, shall be the responsibility of Lessor or his assigns. Lessee agrees that no signs shall be placed or painting done on or about the leased premises by Lessee or at his direction without the prior written consent of Lessor.

14. **Animals.** One dog weighing #15 or less, two cats. No other animals shall be permitted on the property or in the dwelling after 02/01/2025. INITIAL HERE: _____

15. Display of Signs. During the last 30 days of this lease, Lessor or his agent shall have the privilege of displaying the usual "For Sale" or "For Rent" or "Vacancy" signs on the demised premises and of showing the property to prospective purchasers or tenants.

16. Subordination of Lease. This lease and Lessee's leasehold interest hereunder are and shall be subject, subordinate, and inferior to any liens or encumbrances now or hereafter placed on the demised premises by Lessor, all advances made under any such liens or encumbrances, the interest payable on any such liens or encumbrances, and any and all renewals or extensions of such liens or encumbrances.

17. Holdover by Lessee. NA

18. Surrender of Premises. At the expiration of the lease term, Lessee shall quit and surrender the premises hereby demised in as good state and condition as they were at the commencement of this lease, reasonable use and wear thereof and damages by the elements excepted.

19. Default. If any default is made in the payment of rent, or any part thereof, at the times hereinbefore specified, or if any default is made in the performance of or compliance with any other term or condition hereof, the lease, at the option of Lessor, shall terminate and be forfeited, and Lessor may re-enter the premises and remove all persons therefrom. Lessee shall be given written notice of any default or breach, and termination and forfeiture of the lease shall not result if, within 15 days of receipt of such notice, Lessee has corrected the default or breach or has taken action reasonably likely to affect such correction within a reasonable time.

20. Abandonment. If at any time during the term of this lease Lessee abandons the demised premises or any part thereof, Lessor may, at his option, enter the demised premises by any means without being liable for any prosecution therefore, and without becoming liable to Lessee for damages or for any payment of any kind whatever, and may, at his discretion, as agent for Lessee, relet the demised premises, or any part thereof, for the whole or any part of the then unexpired term, and may receive and collect all rent payable by virtue of such reletting, and, at Lessor's option, hold Lessee liable for any difference between the rent that would have been payable under this lease during the balance of the unexpired term, if this lease had continued in force, and the net rent for such period realized by Lessor by means of such reletting. If Lessor's right of re-entry is exercised following abandonment of the premises by Lessee, then Lessor may consider any personal property belonging to Lessee and left on the premises to also have been abandoned, in which case Lessor may dispose of all such personal property in any manner Lessor shall deem proper and is hereby relieved of all liability for doing so.

21. Binding Effect. The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this lease.

22. Other Terms: Proof of **Renters Insurance required within 30 days of renting the property shall be provided to the Lessor.**

23. **Initial Here**_____ This is a NON-SMOKING Residence. If it has been determined that there has been smoking in this house, you will forfeit your deposit and be subjected to eviction proceedings immediately! Smoking outside the residence is allowed.

24. **Initial Here** _____ NO UNREGISTERED, UNINSURED OR UNLICENSED VEHICLE OF ANY KIND WILL BE ALLOWED ON THIS PROPERTY.
And will be subject to towing at the Lessor's request and at the Lessee's expense.

25. *Other Terms: None.

26. Initial Here_____**Lessee shall not permit any holes to be made into the structure or any appliance to be fastened to the house or roof. Any aforementioned Appliance will be removed by the Lessor and repairs will be made at the Lessee's expense And subject the Lessee to immediate eviction.**

IN WITNESS WHEREOF, the parties have executed this lease the day and year first above written.

Lessor Jacqueline Brady Date 2/4/25 Lessee _____ Date

Lessor _____ Date 2/5/25 Lessee _____ Date

Commercial Lease

WHEREAS, Jacquelyn F. Brady owns the mini-farm located at 16350 S.W. 20th Ln., City of Ocala, State of Florida, and desires to lease this to Fish Hawk Spirits, LLC, and

WHEREAS, Fish Hawk Spirits, LLC, desires to lease and occupy the property located at 16350 S.W. 20th Ln., City of Ocala, State of Florida, and

By This agreement made and entered into on this 1st day of January, 2025 between Jacquelyn F. Brady, herein referred to as Lessor, and Fish Hawk Spirits, LLC, herein referred to as Lessee, Lessor leases to Lessee that portion of the premises located at 16350 S.W. 20th Ln., City of Ocala, State of Florida, more particularly described on the attached Exhibit "A", hereinafter known as "the Premises."

This Lease shall commence on the 1st Day of January, 2025 and will continue for a period of one (1) year ending on December 31, 2025, subject to the following conditions:

1. **Rent.** Lessee agrees to pay, without demand, to Lessor as rent for the Premises, $2,000.00 per month.
2. **Renewal.** This lease, at the option of Lessor may be renewed.
3. **Payment.** Payment of rent shall be paid in advance by the first day of the month.
4. **Quiet Enjoyment.** Lessor covenants that on paying the rent and performing the covenants herein contained, Lessee shall peacefully and quietly have, hold, and enjoy the demised premises for the agreed term.
5. **Use of Premises.** The demised premises shall be used and occupied by Lessee as an on farm craft distillery business for which all lawful purposes in which Fish Hawk Spirits, LLC may or may become engaged. Lessee shall comply with all applicable laws and statutes.
6. **Assignments and Subletting.** Without the prior written consent of Lessor, Lessee shall not assign this lease, or sublet or grant any concession or license to use the premises or any part thereof. A consent by Lessor to one assignment, subletting, concession, or license. An assignment, subletting or license without the prior written consent of the Lessor, or an assignment or subletting by operation of law, at Lessor's option, terminates this lease.

7. **Alterations and Improvements.** Lessee shall have the right, and limited power of attorney as required, to make alterations to buildings on the premises, construct buildings and or make other improvements on the property without the prior written consent of Lessor.
8. **Utilities.** Lessee shall be responsible for arranging for and paying for all utility services required on the premises.
9. **Right of Inspection.** Lessor and her agents shall have the right at all reasonable times during the term of this lease to enter the premises for the purpose of inspecting the premises and all buildings and improvements thereon.
10. **Maintenance.** Lessee will, at its sole expense, keep and maintain the leased premises and appurtenances in good and sanitary condition and repair during the term of this lease.
11. **Surrender of Premises.** Upon cancellation of this lease, Lessee shall quit and surrender the premises in as good a state and condition as they were prior to Fish Hawk Spirits, LLC occupation. At the option of Lessor, the Lessee shall remove all Fish Hawk Spirits, LLC buildings and equipment, restoring the property to its original condition, within ninety (90) days of the end of the lease.
12. **Binding Effect.** The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this lease.
13. **Property Taxes.** In addition to the rent set forth above, Lessee shall pay, when due, any and all property taxes associated with the Premises.
14. **Insurance.** Lessee shall maintain property damage and liability insurance in an amount not less than $1,000,000, and shall name Lessor as an additional insured on the policy, and shall provide Lessor proof of such.
15. **Animals.** No animals domestic or otherwise shall be harbored or otherwise allowed on this premises
16. **Attorney's Fees.** In the event of any litigation brought to enforce the terms of this lease, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs associated with such litigation.

DW

IN WITNESS WHEREOF, the parties hereto have executed this Lease as of the date first above written.

Witnesses:

LESSOR

By: _____

Name: Jacquelyn F. Brady

Witnesses:

LESSEE: Fish Hawk Spirits, LLC

By: _____

Name: David Molyneaux

Title: CEO

FAT. 1850
1995

Attachment A

437

DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY
DATE: 10/16/2007 03:17:33 PM
FILE #: 2007135427 OR BK 04910 PGS 1630-1631

RECORDING FEES 18.50

RECORD AND RETURN TO

Prepared by
Angela Young, an employee of
First American Title Insurance Company
216 Northeast First Avenue
Ocala, Florida 34470
(352)732-7910

Return to: Grantee

File No.: 1086-1757302

DEED DOC TAX 199.50

WARRANTY DEED

This indenture made on **October 10, 2007** A.D., by

Doreen Rockwell, Individually and as Trustee

whose address is: **PO Box 546, Ocala, FL 34478**
hereinafter called the "grantor", to

Jacquelyn F. Brady

whose address is: **1180 SW 158th Avenue, Ocala, FL 34481**
hereinafter called the "grantee":
(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Marion** County, **Florida,** to-wit:

Lot 3, Block 8 of WESTWOOD ACRES NORTH, according to the plat thereof as recorded in Plat Book Q, Pages 101 - 107, of the Public Records of Marion County, Florida.

The land is not the homestead of the Grantor under the laws and constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

Parcel Identification Number: **2091-008-003**

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2007.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Doreen Rockwell, Individually and as Trustee

Doreen Rockwell

Doreen Rockwell, Trustee

Signed, sealed and delivered in our presence:

Witness Signature

Print Name: Patti Nameth

Witness Signature

Print Name: A Young

State of **FL**

County of **Marion**

The Foregoing Instrument Was Acknowledged ~~before me on~~ **October 10, 2007**, by **Doreen Rockwell, Individually and as Trustee** who ~~is/~~are personally known to me or who has/have produced a valid driver's license as identification.

ANGELA L. YOUNG
Notary Public - State of Florida
My Commission Expires Jun 26, 2010
Commission # DD 524673
Bonded By National Notary Assn.

NOTARY PUBLIC

Notary Print Name

My Commission Expires: _____

DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 06/25/2018 10:00:12 AM
FILE #: 2018060894 OR BK 6787 PGS 1226-1227
REC FEES: $18.50 INDEX FEES: $0.00
DDS: $112.69 MDS: $0 INT: $0

Prepared by and return to:
Jeffrey H. Traynham, Esq.
c/o Sui Generis Law, PLLC
1102 Merry Water Drive
Lutz, FL 33548

_____[Space Above Line Reserved For Recording Data]_____

Parcel Identification Number:
2091-008-002

GENERAL WARRANTY DEED

Made this 19TH day of June, 2018, A.D. by **DAVID A. MOLYNEAUX**, whose post office address is 1102 Merry Water Drive, Lutz, FL 33548 ("Grantor") and **FISH HAWK SPIRITS, LLC**, whose post office address is 16350 SW 20th Lane, Ocala, FL 34481, ("Grantee"),

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of such individuals, and the successors and assigns of corporations.)

WITNESSETH, that said Grantor, for and in consideration of the sum of ONE HUNDRED DOLLARS ($100.00), and other good and valuable consideration to said Grantor, receipt of which is hereby acknowledged, hereby grants, bargains, sells, alienates, conveys, remises, releases and confirms unto the said Grantee all that certain land situate in Marion County, Florida, to wit:

Lot 2, Block 8, Westwood Acres North, according to the map or plat thereof, as recorded in Plat Book Q, Page(s) 101 through 107, of the Public Records of Marion County, Florida.

Parcel ID No. 2091-008-002

Grantor warrants at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the State of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence address is: 1102 Merry Water Dr., Lutz, FL 33548.

Subject to taxes for 2018 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining thereto.

To Have and to Hold, the same in fee simple forever.

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free and clear of all encumbrances, except taxes accruing subsequent to December 31, 2017.

IN WITNESS WHEREOF, the said Grantor has signed and sealed this General Warranty Deed the day and year first above written.

Signed, sealed and delivered in our presence:

WITNESSES:

Print Name: Jeffrey H. Traynham

Print Name: Corinne C. Traynham

GRANTOR

DAVID A. MOLYNEAUX
Address: 1102 Merry Water Dr., Lutz, FL 33548

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this ____ day of June, 2018 by **DAVID A. MOLYNEAUX** who identified themselves to be the persons described by means of ( ) a Florida Driver's License, or ( ) was personally known to me and who executed the foregoing instrument.

Notary Public (Seal)
My Commission Expires: 3-4-22

KATHIA LEE OLIVENCIA
Notary Public - State of Florida
Commission = GG 9 958
My Comm. Expires Mar 4, 2022
Bonded through National Notary Assn.

Detail by Entity Name

Florida Limited Liability Company
FISH HAWK SPIRITS, LLC

Filing Information

Document Number	L11000051405
FEI/EIN Number	45-2322916
Date Filed	05/02/2011
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	10/19/2015

Principal Address

16350 SW 20TH LANE
OCALA, FL 34481

Changed: 01/29/2012

Mailing Address

16350 SW 20TH LANE
OCALA, FL 34481

Changed: 01/29/2012

Registered Agent Name & Address

Sui Generis Law, PLLC
3212 Oak Park Ln
Kissimmee, FL 34746

Name Changed: 04/29/2022

Address Changed: 04/30/2021

Authorized Person(s) Detail

Name & Address

Title AMBR

MOLYNEAUX, DAVID A

16350 SW 20TH LANE
OCALA, FL 34481

Annual Reports

Report Year	Filed Date
2022	04/29/2022
2023	05/01/2023
2024	04/30/2024

Document Images

04/30/2024 -- ANNUAL REPORT	View image in PDF format
05/01/2023 -- ANNUAL REPORT	View image in PDF format
04/29/2022 -- ANNUAL REPORT	View image in PDF format
04/30/2021 -- ANNUAL REPORT	View image in PDF format
04/24/2020 -- ANNUAL REPORT	View image in PDF format
02/11/2019 -- ANNUAL REPORT	View image in PDF format
04/06/2018 -- ANNUAL REPORT	View image in PDF format
03/31/2017 -- ANNUAL REPORT	View image in PDF format
01/21/2016 -- ANNUAL REPORT	View image in PDF format
10/19/2015 -- REINSTATEMENT	View image in PDF format
01/23/2014 -- AMENDED ANNUAL REPORT	View image in PDF format
01/06/2014 -- ANNUAL REPORT	View image in PDF format
03/17/2013 -- ANNUAL REPORT	View image in PDF format
01/29/2012 -- ANNUAL REPORT	View image in PDF format
05/02/2011 -- Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations

Applicant's Finding of Facts Requirement

1) There is a 30' driveway to the business and residential house that is shared. The business is locked during non-operational hours and remotely monitored 24/7 for fire & security. Multiple fire extinguishers are on site for employees to use and are inspected on an annual basis. The property is open on 3 sides with the ability to freely vacate in case of an emergency.
2) No odor, glare or noise are being generated from the distillery operation.
3) The site consists of two ±1-acre lots surrounded by similar parcels that make up the Westwood Acres North Subdivision consisting of 391 lots. The proposed use will not adversely affect public interest. The subject properties are 16350 and 16400 SW 20th Lane in the Westwood Acres Subdivision. The proposed artisanal micro distillery will be limited to the artisan distillery, tasting room, and accessory area and operate with a business officer residing on-site.
4) Utilities (power) are already installed and run underground from the power pole located on SW 20th Ln. There is a well on the backside of the distillery which provides both the house and business. There is a septic tank onsite that is connected to the house.
5) The Westwood Acres Subdivision is a subdivision consisting of 391 lots of record eligible for continued development, with the subject property and all surrounding properties are zoned A-1, General Agriculture.
6) The Westwood Acres Subdivision is a subdivision consisting of 391 lots of record eligible for continued development, with the subject property and all surrounding properties are zoned A-1, General Agriculture. Immediately surrounding lots are currently a mix of vacant and 2 lots developed with a mobile home. There is no commercial traffic and no advertising on the property. There have been no improvements or changes since resolution No. 21-R-685 was approved December 21st, 2021.
7) The lot at 16350 consists of .77 acres for the residential house and artisanal distillery operations. It also consists of .30 acres of agricultural exempt property for growing/harvesting items for our artisanal distillery. The lot at 16400 consists of .75 acres of agricultural exempt property for growing/harvesting items for our artisanal distillery.
8) There is a 6' wooden fence extending along the entire south portion of the lot (150'). There properties to the North or East are vacant/undeveloped. The property to the West is where we harvest for producing items in our artisanal distillery.
9) Agricultural and/or agricultural related uses including commercial and industrial uses that are functionally related to rural and/or agricultural activities, neighborhood commercial uses, residential development including detached single-family homes, mobile homes, and manufactured housing.

DESCRIPTION OF DISTILLED SPIRITS PLANT

a. Description of land tract:

Lot 2 (Parcel ID No. 2091-008-002) and a portion of Lot 3 (Parcel ID No. 2091-008-003), Block 8, of Westwood Acres North as recorded in Plat Book Q, Page 101 of the Public Records of Marion County, Florida. Also known as 16400 and 16350 (respectively) SW 20th Lane, Ocala, Florida 34481 (property addresses).

The portion of Lot 2 (owned) is beginning at the Southeast corner of parcel 2091-008-002 Point of Beginning Lot 2 (POB-2) extending West 150 feet along the Southern line of the parcel to the Southwest corner of the parcel, thence extending North 300 feet along the Western line of the parcel to the Northwest corner of the parcel, thence extending East 150 feet along the Northern line of the parcel to the Northeast corner of the parcel, thence extending South 300 feet along the Eastern line of the parcel to the Point of Beginning Lot 2 (POB-2), encompassing approximately 45,000 square feet.

The portion of Lot 3 (leased) is beginning at the Southeast corner of parcel 2091-008-003 Point of Beginning Lot 3 (POB-3) extending West 150 feet along the Southern line of the parcel to the Southwest corner of the parcel, thence extending North 110 feet along the Western line of the parcel to a Point, thence extending East 120 feet along the line to a Point, thence extending North to the Northern line of the parcel to a Point, thence extending East 30 feet to the Northeast corner of the parcel, thence extending South 300 feet along the Eastern line of the parcel to the Point of Beginning Lot 3 (POB-3), encompassing approximately 22,200 square feet.

b. The plant exists as a series of buildings and structures measuring in the aggregate 3,298 square feet.

c. The plant is located in unincorporated Marion County and is accessible from SW 20th Lane.

d. The plant is divided as follows: 1,216 square feet bonded production area, 208 square feet bonded storage area, and 768 square feet Gift Shop / Tasting Room, and 1,874 square feet of non-bonded production area.

e. POINT OF BEGINNING LOT 3 (POB-3): Located at the Southeast corner of Lot 3 (Parcel ID No. 2091-008-003), Block 8, of Westwood Acres North as recorded in Plat Book Q, Page 101 of the Public Records of Marion County, Florida. Also known as 16350 SW 20th Lane, Ocala, Florida 34481 (property addresses).

f. DSP BONDED PREMISE / PRODUCTION (A): The Starting Point B (SP-B) of the DSP bonded premise is from the Point of Beginning Lot 3 (POB-3), thence proceed North 61', thence West 50' to Starting Point B (SP-B). From Starting Point B (SP-B), thence proceed East 38', thence South 32', thence West 38', thence North 32' back to Starting Point B (SP-B).

g. DSP GENERAL PREMISE (B): The Starting Point C (SP-C) of the DSP general premise is from the Point of Beginning Lot 3 (POB-3), thence proceed North 52.5', thence West

42' to Starting Point C (SP-C). From Starting Point C (SP-C), thence proceed South 8', thence proceed East 3', thence North 8', thence West 3' back to Starting Point C (SP-C).

h. DSP BONDED PREMISE / STORAGE (C): The Starting Point D (SP-D) of the DSP bonded storage premise is from the Point of Beginning Lot 3 (POB-3), thence proceed North 61', thence West 224', thence South 24' to Starting Point D (SP-D). From Starting Point D (SP-D), thence South 26', thence West 8', thence North 26', thence East 8', back to Starting Point D (SP-D).

i. GIFT SHOP / TASTING ROOM (D): The Starting Point A (SP-A) of the Gift Shop / Tasting Room is from the Point of Beginning Lot 3 (POB-3), thence proceed North 61', thence West 74' to Starting Point A (SP-A). From Starting Point A (SP-A), thence East 24', thence South 32', thence West 24', thence North 32' back to Starting Point A (SP-A).

Granting the proposed use will not adversely affect the public interest.

The site consists of two ±1-acre lots surrounded by similar parcels that make up the Westwood Acres North Subdivision consisting of 391 lots. The proposed use will not adversely affect public interest. The subject properties are 16350 and 16400 SW 20th Lane in the Westwood Acres Subdivision. The proposed artisanal micro distillery will be limited to the artisan distillery, tasting room, and accessory area and operate with a business officer residing on-site. No commercial traffic and no advertising on the property.

The proposed zoning change is consistent with the current Comprehensive Plan.

The FLU Map 1: Marion County 2035 Future Land Use Map of the Comprehensive Plan designates this property as Rural Land. Agricultural and/or agricultural related uses including commercial and industrial uses that are functionally related to rural and/or agricultural activities, neighborhood commercial uses, residential development including detached single-family homes, mobile homes, and manufactured housing. No odor, glare or noise are being generated from the distillery operation. We are registered as an agritourism attraction certified by the State.

The proposed use is compatible with land uses in the surrounding area.

The Westwood Acres Subdivision is a subdivision consisting of 391 lots of record eligible for continued development, with the subject property and all surrounding properties are zoned A-1, General Agriculture. Immediately surrounding lots are currently a mix of vacant and 2 lots developed with a mobile home. There have been no improvements or changes since resolution No. 21-R-685 was approved December 21st, 2021.

Jimmy H. Cowan, Jr., CFA
Marion County Property Appraiser

Last Updated 12/12/2024

1:2,257
0 90 180 360 ft
0 25 50 100 m

[Map Title]

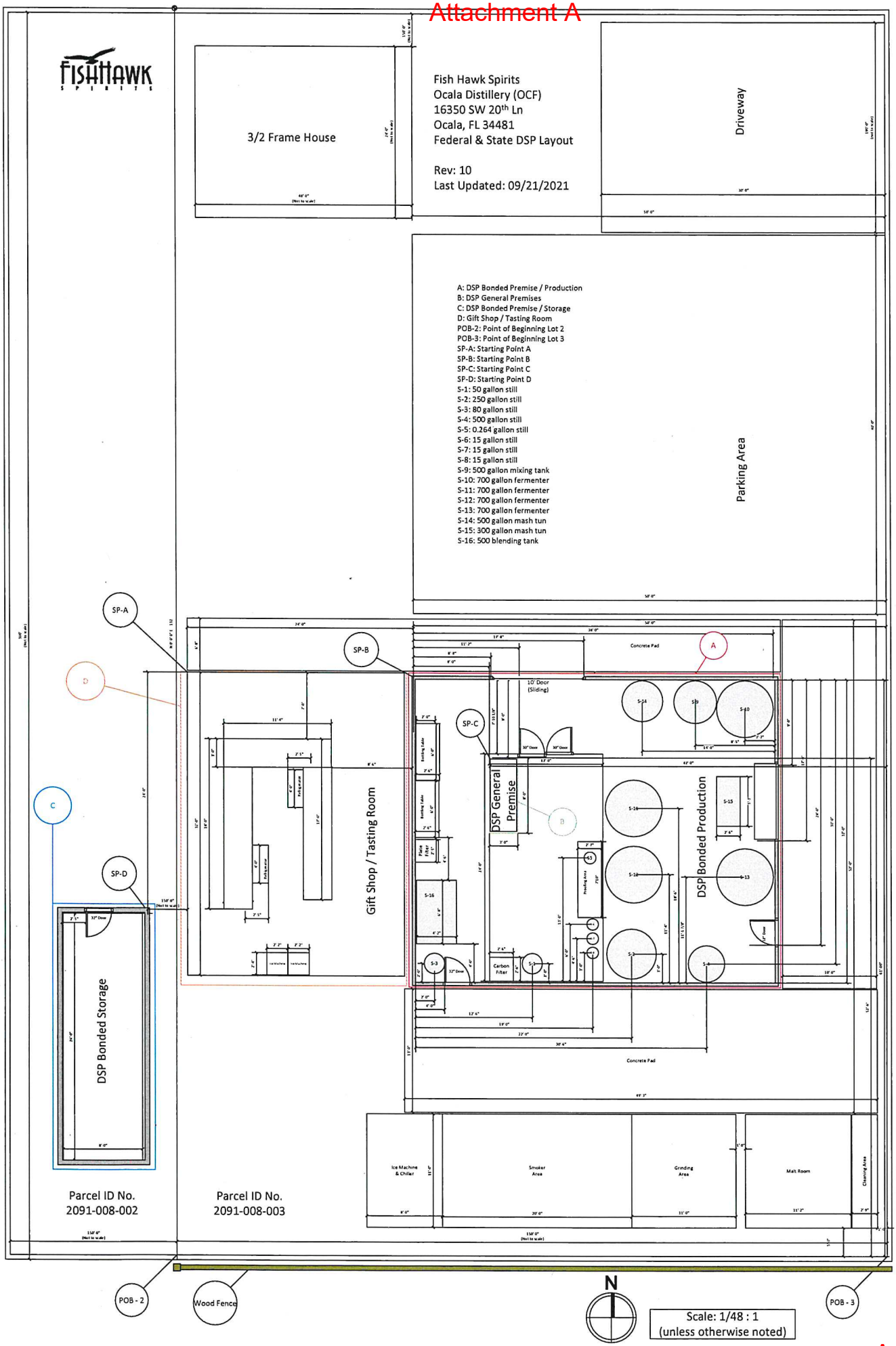
1/29/2025
Marion County Property Appraiser
Marion County, FL

DISCLAIMER: This is a work in progress. This application was compiled by the Marion County Property Appraiser's Office soley for the governmental purpose of property assessment. These are NOT surveys. Our goal is to provide the most accurate data available, however, no warranties, expressed or implied are provided with this data, its use, or interpretation. All information subject to change without notice. Use at your own risk.

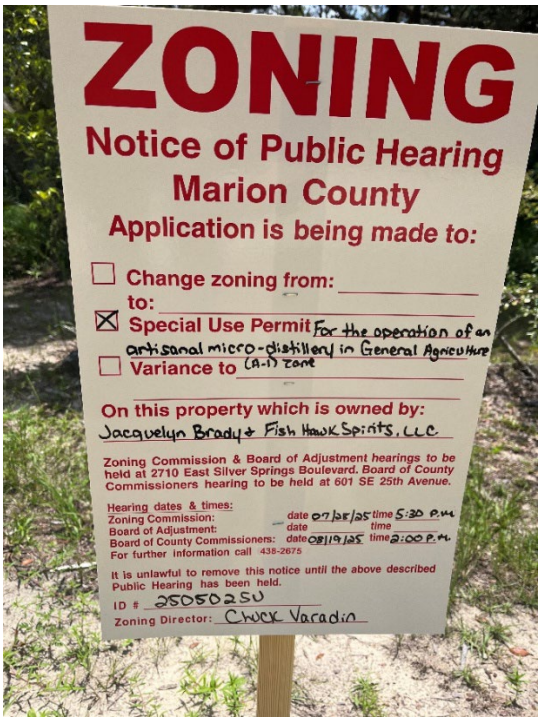
Attachment A

A-19

Attachment A



Sign Posting 1.



Sign Posting 2.

Looking east on SW 20th Ln.

Looking west on SW 20th Ln.

Sign posted at the entrance of the property.

Looking down driveway towards distillery.

Distillery.

Gift shop/tasting room and rear accessory distilling operation.

More of the distilling area & supplies.

Distilling supplies.

Tasting room.

Restroom

Residence on-site.

Attachment C

Fish Hawk Spirits

Florida's Ultra-Premium Farm-to-Bottle Distillery

Explore Our Spirits

Whiskey | Vodka | Rum | Specialties | Tours

Attachment C

Welcome to Fish Hawk Spirits, Florida's only **Medal-Winning Farm-to-Bottle** spirits distillery. We are the fifth licensed distillery in the State of Florida, having been established in 2012, and located in Ocala.

About Our Spirits

Our portfolio of 27 spirits consists of the Sui Generis family of Whiskey, Resurgence family of Rums, Island Grove family of Vodkas, Absinthia family of Absinthe and finally our Colonial family of Brandy.

See All Our Spirits

Locally Grown in Florida

Attachment C

There is no other distillery in Florida like us making spirits the way that we do.

- **We distill on a farm** in a shed with hand-built stills and processing equipment.
- **We are not** in a warehouse or a fancy building.
- **We grow our own corn** for our whiskey on our land next to the distillery.
- **We harvest fresh fruit** from our own groves and from our agricultural partners.
- **We grow our own herbs** and botanicals for our infused spirits in raised gardens at the distillery.
- **We pump spring water** from the wells on our land, coming from the Rainbow River watershed that feeds Rainbow Springs.
- We use spring water directly in the mash and distill it separately for blending.

No municipal water or reverse osmosis found here.

We Also Offer Tours On Site

Award-Winning Florida Whiskey

Attachment C

At Fish Hawk Spirits, our passion for crafting exceptional, locally sourced spirits has garnered recognition across prestigious national and international competitions. We take pride in every bottle we produce, and we're honored to share our accolades with you.

Awards List

- SIP Awards
- North American Bourbon and Whiskey Competition
- North American Distillery Institute
- International Spirits Competition
- Cigar & Spirits Magazine

Attachment C

See All Whiskeys

Award-Winning Florida Vodka

Fish Hawk Spirits is proud to have received significant accolades for our exceptional vodkas at **The Fifty Best Awards in 2018**. These awards from this prestigious authority in the spirits industry highlight our dedication to producing premium, locally-sourced Florida vodkas that delight the palate. We invite you to experience the refined taste and smooth finish that have earned us these esteemed recognitions.

Fifty Best Awards

- **2018 Double Gold Medal**
- **2018 Silver Medal**
- **2018 Bronze Medal**

Attachment C

See All Vodkas

Award-Winning Florida Rum

Our Resurgence Rum family is all about honoring Florida's rich rum-making roots while throwing in a little bold, modern twist. We stick to time-tested techniques but aren't afraid to spice things up for a one-of-a-kind flavor experience. Every bottle is proudly stamped "Fresh from Florida" and hand-bottled right here in Ocala—because good rum deserves a personal touch.

Attachment C

SIP Awards

- 2019 Double Gold Medal
- 2019 Silver Medal

See All Rums

Fish Hawk Spirits Distillery Tours

Visit us in person and see why we're the most award-winning distillery in Florida. We take our craft seriously, using only local Florida ingredients, natural spring water, and a process that starts and finishes right here. We'd love the opportunity to have you as our guests and share the love that goes into each bottle. Book a date, and join us in Ocala!

See Distillery Tour Details

Attachment C

Explore Our Spirits

Whiskey | Vodka | Rum | Specialties | Tours

MARION COUNTY PLANNING DEPARTMENT

Date: 04-01-2012
ZC: 04-30-2012
BCC: 05-15-2012

APPLICATION # 120506SU **Parcel #** 2091-008-003

Applicant: Fish Hawk Sprits LLC **Owner:** Jacquelyn F. Brady

A request for a Special Use Permit in an A-1 (General Agriculture) zone on approximately 1.07 acres for the operation of an artisanal micro-distillery.

Marion County's Land Development Code (LDC), Article 2, Section 2.2 defines a "Special Use" as a use that would not be appropriate generally or without restriction throughout the particular zoning classification but which, if controlled as to number, area, location, or compatibility with the surrounding area, would not adversely affect the public health, safety, and general welfare.

Article 4, Sec. 4.6. of the LDC requires the Zoning Commission to make recommendations on Special Use Permits to the Board of County Commissioners. The Commission may recommend granting a Special Use Permit with appropriate conditions and safeguards. The Commission may recommend a denial of Special Use Permits when the use requested is not compatible with existing uses in the surrounding area, or will adversely affect the public interest, or the proposed use is not consistent with the Comprehensive Plan.

The Board of County Commissioners is under no obligation to approve a Special Use Permit unless and until the applicant meets their burden of demonstrating that:

1. The proposed use will not adversely affect the public interest; and
2. The proposed use is consistent with the Comprehensive Plan; and
3. The proposed use is compatible with land uses in the surrounding area.

Staff Recommendation: APPROVAL WITH CONDITIONS

Conditions:

1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
2. Access to the site shall be from SW 20th Lane.
3. The artisanal micro-distillery functions shall be conducted in the 288SF accessory building, depicted on the submitted conceptual plan, and located in the southeastern section of the subject property.
4. No commercial sales and/or signage shall be allowed on-site.
5. The owner/operator shall reside on-site.
6. The Special Use Permit shall run with the owner/operator and not the property.
7. The Special Use Permit shall expire on May 15, 2015. The applicant may submit a new Special Use Permit application for consideration to renew and extend this permit in the future.

Findings:

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.

Comments:

1. Will not adversely affect the public interest.

The proposed use will not adversely affect the public interest. The subject property is 16350 SW 20th Lane in the Westwood Acres Subdivision The proposed artisanal micro-distillery will be limited to an accessory building and operate as a "hobby use" for the owner residing on-site. No commercial traffic is expected and on-site commercial sales and advertising are not proposed or recommended. The applicant will also install a wooden privacy fence across the southern property line to further screen the distillery operation from the one residentially developed property adjacent to the site.

Road	Classification	Maintenance	Existing Conditions			
			Surface	No. Lanes	R/W Width	R/W Deficiency
SW 20th Lane	Subdivision Local	County	unpaved	2	60'	0'

Access to the property is from SW 20th Lane.

Utility	Service Area
Water	Marion County Utilities
Sewer	Marion County Utilities

Water/Sewer services are to be provided on site by Applicant.

Code Enforcement Case:

Code Case #	Source	Open Date	Violation/Remarks	Status
684690	Citizen	10/2010	30 bags/garbage off roadway	Closed (citation)

---

2. Is consistent with the Marion County Comprehensive Plan.

Comprehensive Plan Designation: Rural Land (Subdivision of Record)
This designation is intended to preserve permanent open space and the character of the county's rural areas while allowing the clustering of rural development.
General Range of Uses: Agricultural and/or agricultural related uses including commercial and industrial uses that are functionally related to rural and/or agricultural activities, neighborhood commercial uses, residential development including detached single-family homes, mobile homes, and manufactured housing.

Density Restrictions: Dwelling Units/Gross Acre: Rural Lands may not exceed a maximum residential density of one (1) dwelling unit per ten (10) gross acres.
Maximum Nonresidential Intensity: Floor Area Ratio: N/A

FLUE Policy 1.2.5 acknowledges that certain portions of the County's population will desire to live in a rural setting and directs the County to protect areas where existing rural and equestrian character are suitable. While the site is within an urban style subdivision of record, the subdivision consists of larger lots/tracts which may accommodate limited agricultural activity consistent with FLUE Policy 1.2.5, and personal hobbies such as a micro-distillery.

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3. Is compatible with the surrounding land uses.

The subject property is 16350 SW 20th Lane in the Westwood Acres Subdivision. The applicant is requesting a Special Use Permit to establish an artisanal micro-distillery in an accessory building on the residentially developed property. The accessory building is 288 SF located to the rear of the existing single family residence (1981:1152 SF). According to the applicant, the request will provide minimal pedestrian and/or traffic impact as no more than 4 trips to the site are anticipated on a weekly basis; off street parking and loading areas will not be required beyond the current household use; no odor, glare or noise will be generated from the distillery operation; and no customer or vendor traffic is anticipated.

The Westwood Acres Subdivision is a subdivision of record eligible for continued development, with the subject property and all surrounding properties are zoned A-1, General Agriculture. All immediately surrounding lots are currently vacant, with the exception of the lot located immediately south of the property which is developed with a mobile home. However, the applicant has indicated the intent to install a wooden privacy fence across the southern property line to further screen the distillery operation from adjacent/neighboring properties.

Direction	Adjacent		
	Zoning	Land Use Designation	Existing Use
North	A-1 (General Agriculture)	Rural Land (Subdivision of Record)	Vacant
South	A-1 (General Agriculture)	Rural Land (Subdivision of Record)	Mobile Home
East	A-1 (General Agriculture)	Rural Land (Subdivision of Record)	Vacant
West	A-1 (General Agriculture)	Rural Land (Subdivision of Record)	Vacant

Development of the site will be required to comply with the Land Development Code along with any other conditions of this Special Use Permit approval. The proposed use is compatible with the surrounding uses and will not adversely affect the public interest.

Attachments:

1. Existing Use & Land Use Designation Map
2. Photographs

Marion County Board of County Commissioners

Date: 10/28/2015	P&Z: 10/26/2015 BCC: 11/17/2015

Item Number
151103SU

Type of Application
Special Use Permit

Request
Renewal of 120506SU for the operation of an artisanal micro-distillery.

Owner
Jacquelyn F. Brady

Applicant
Fish Hawk Spirits

Parcel #/Acreage
2091-008-003
1.07 Acres

Future Land Use
Rural

Existing Zoning
A-1 General Agriculture

Staff Recommendation
Approval with update to conditions extending expiration to 2025 and modifying rear buffer

P&Z Recommendation:
Recommended Approval with Staff Conditions
(on consent)

Item Summary

Staff is recommending Approval with the same conditions for a renewal of 120506SU. Operation of an artisanal micro-distillery on 1.07 acres, as requested in accordance with the Marion County Land Development Code, Article 2, Division 8 "Special Use Permit," in an A-1, General Agriculture, Zoning.

Public Notice

Notices of public hearing was mailed to **15** property owners within 300 feet of the subject property. No letters concerning this request have been received.

Background

Location
The subject property is 16350 SW 20th Lane in the Westwood Acres Subdivision.

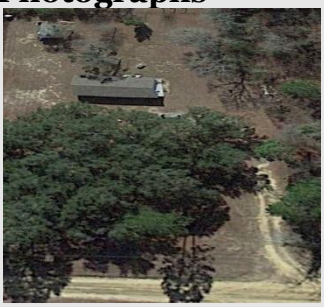
Project Planner
Vanessa Angello
Planning Technician II

Additional Information

Comprehensive Plan Amendment:
N/A

Code Enforcement Action: None

Photographs



View of subject property's main entrance looking south from SW 20th Lane.

View of vacant parcels north of the subject property.

View of vacant parcels west of the subject property.

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

ADJACENT PROPERTY CHARACTERISITICS			
Direction of Adjacency	Future Land Use Designation	Zoning	Existing Use/MCPA Property Class
North	Rural	A-1 General Agriculture	(00) Vacant
South	Rural	A-1 General Agriculture	(02) Mobile Home
East	Rural	A-1 General Agriculture	(00) Vacant
West	Rural	A-1 General Agriculture	(00) Vacant

Request

A request to renew an existing Special Use Permit in an A-1 (General Agriculture) zone on approximately 1.07 acres for the operation of an artisanal micro-distillery. There have been no code cases or complaints since the original special use permit was granted.

Analysis

In reaching its decision, the Planning & Zoning Commission must address the following:

a. **1. Granting the proposed Special Use Permit change will not adversely affect the public interest.** The proposed use will not adversely affect the public interest. The subject property is 16350 SW 20th Lane in the Westwood Acres Subdivision The proposed artisanal micro-distillery will be limited to an accessory building and operate as a "hobby use" for the owner residing on-site. No commercial traffic or on-site commercial sales and no advertising on the property.

b. **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 this property as Rural Land. Agricultural and/or agricultural related uses including commercial and industrial uses that are functionally related to rural and/or agricultural activities, neighborhood commercial uses, residential development including detached single-family homes, mobile homes, and manufactured housing. No odor, glare or noise was being generated from the distillery operation at the time of the site visit.

View of vacant parcels east of the subject property.

View of distillery building.

View of chain length fence that surrounds the distillery.

View of privacy fence at rear.

View of fermenting vats.

View of bottling area.

3. The proposed Special Use is compatible with land uses in the surrounding area. The Westwood Acres Subdivision is a subdivision of record eligible for continued development, with the subject property and all surrounding properties are zoned A-1, General Agriculture. All immediately surrounding lots are currently vacant, with the exception of the lot located immediately south of the property which is developed with a mobile home. Infrastructure

Access to the property is from NE 36th Avenue

Road	Classification	Maintenance	Existing Conditions			
			Surface	No. Lanes	R/W Min. Width	R/W Deficiency
SW 20th Lane	Subdivision Local	County	Unpaved	2	60'	0’

Water/Sewer services are to be provided on site by Applicant.

Utility	Service Area
Water	Private well
Sewer	OSTDS

Staff Recommendation: Changes to the 2012 conditions include extension to 2025 and modification of rear buffer to mimic site conditions.

1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
2. Access to the site shall be from SW 20th Lane.
3. The artisanal micro-distillery functions shall be conducted in the 288SF accessory building, depicted on the submitted conceptual plan, and located in the southeastern section of the subject property.
4. No commercial sales and/or signage shall be allowed on-site.
5. The owner/operator shall reside on-site.
6. The Special Use Permit shall run with the owner/operator and not the property.
7. The Special Use Permit shall expire on **May 15, 2025.** The applicant may submit a new Special Use Permit application for consideration to renew and extend this permit in the future.

MARION COUNTY GROWTH SERVICES

Date: 12/8/2021 | **P&Z: 11/29/2021 BCC Adoption: 12/21/2021**

Item Number
211221SU
[CDP-AR# 27415]

Type of Application:
Special Use Permit (SUP)

Proposed Use:
Modify and renew existing SUP for an artisanal micro-distillery in A-1 to add a second acquired lot, expand the distillery operation and its facilities, add an open air gift shop/tasting room/area, and renew/extend the SUP.

Historic SUPs:
20120506SU, 2012-R-125
20151103SU, 2015-R-541

Future Land Use:
Rural Land

Zoning:
A-1, General Agriculture

Parcels #/Acreage:
2091-008-002/±1.06 ac.
2091-008-003/±1.07 ac.
TOTAL: ±2.13 ac.

Owner(s):
1) Jacquelyn F. Brady and
2) Fish Hawk Spirits, LLC
c/o J. H. Traynham

Applicant(s):
Joseph Faino, Mgr.
(Matthew Bagdanovich, resident/director)

Location:
16350 SW 20th Lane, Ocala

Staff Recommendation:
DENIAL

P&Z Recommendation
DENIAL

Item Summary

Staff is recommending **DENIAL** for a Special Use Permit Application (SUP) to modify and renew an existing SUP for an artisanal micro-distillery to add a second acquired lot, expand the distillery operation and its facilities, add an open air gift shop/tasting room area, and renew/extend the SUP. The applicant proposes to add a second property to the SUP's micro-distillery operation, expand the distillery facilities, add a gift shop/tasting room, and further extend the SUP expiration date. This SUP Application represents the third request regarding the use submitted pursuant to Section 2.8.1 of the Marion County Land Development Code (LDC).

The proposed SUP site consists of two adjoining properties not in common ownership. The eastern property (Lot 3) is the site of the prior series of SUPs that includes a residence and the distillery's main facilities along with the access and parking. The property is owned by Jacquelyn F. Brady (October 2007) who resides off-site. Portions of property are then leased to Fish Hawk Spirits, Inc. for the distillery location and parking & driveway access, with the residential home being leased to Matthew Bagdanovich who resides on the property as an employee and identified as one of the Fish Hawk Spirits, LLC officers. The western property (Lot 2) is owned directly by Fish Hawk Spirits, LLC and was acquired in June 2018. The application proposes to expand the lands subject to the SUP to include Lot 2. The property has been used for producing agricultural products used in the distilling operation (corn, etc.). The SUP proposes to add a storage building on the lot for the distillery operation. Staff's site visit observed a shipping storage container located totally off-site to the east of Lot 3, the applicant has noted that Fish Hawk Spirits, LLC is seeking to purchase that property but recently has had difficulty in contact that owner. The western Lot 2 property may also be an alternative location for that container.

Project Planner
Christopher Rison, Senior Planner

Code Enforcement Action: None

Public Notice

Notice of public hearing was mailed to twenty-two (22) property owners within 300 feet of the overall subject property.

Location

The site is 16350 SW 20th Lane in southeast Marion County in the Westwood Acres North Subdivision (Plat Book Q, Pages 101-107, July 1973) that generally consists of up to 391 lots wherein the lots range from 0.55 acres to just under 2.00 acres, with an average size of ±1 acre. The site is located in the northeastern section of the subdivision that then lies north of, and is likely accessed through, the Lancala Farms Unit 2 and Westwood Acres South Subdivisions to the south; an approximate travel distance of 2.7 miles from the site to W. Hwy 40.

Background/Request

The applicant is requesting to modify and renew an existing SUP for an artisanal micro-distillery to expand the distillery operation and its facilities, add an open air gift shop/tasting room/area, and renew/extend the SUP. The original SUP (20120506SU; 2012-R-125) limited the micro-distillery operation to a 288 square foot (SF) accessory building that existed on the site at the time of the initial 2012 SUP approval, and that size limitation was maintained with 2015 SUP extension (20151103SU; 2015-R-541).

The owner/applicant has made significant additions to the facilities to increase the distillery operation's production including adding a larger accessory structure that encompasses the original accessory structure shown on the original SUP concept plan. Other additions include 1) covered open-air gift shop/tasting area on the west side of the expanded structure, 2) small out-building for gift shop/tasting room/area restroom adjoining the existing privacy fence along the south side of the site, 3) and a series of structures for the distilling/bottling/tasting room activities supporting equipment at the rear/south of the building; these include an ice machine/chiller, smoker, grinding area, malt room, and cleaning area for distilling equipment. The conceptual plan provided indicates a now 38' x 32' (1,216 SF) distillery building, with the 24' x 32' (768 SF) open air gift shop/tasting room/area located adjoining the west side of the distillery building. The additional distillery covered structures are then shown along the south side of the site, 5' from the existing privacy fence provided by the project site. In addition to the indicated structures, there additional structures along the south side – proceeding westward are a covered lawn mower storage area, the tasting room restroom, added privacy fencing and behind the privacy fencing a metal storage building. The second parcel being added to the overall Special Use Permit is then located beyond the metal storage building and includes the additional distillery storage building indicated on the concept plan. The remainder of the second parcel north of the storage building is used for cultivating plant material for the distilling operation. No building permits were not obtained for these improvements, and Lot 3 of the site, while zoned A-1, is not identified by the Marion County Property Appraiser's Office (MCPA) as an agriculturally exempt property; however Lot 2 is identified as agriculturally exempt property by MCPA. The applicant has indicated an MCPA Agricultural Exemption application for Lot 3 has been submitted, and a determination on the status is due from MCPA in March/April 2022.

The expansion of the distilling operation structure encroaches 15' into the required eastern 25' side yard setback as the building is now 10' from the property boundary. The structures along the south side adjoin an existing privacy fence "off-set" 10' internally from the actual property setback according to discussion with the owner. These structures along the south boundary, including the tasting room/area restroom thereby also encroach 15' into the required 25' rear yard setback. A companion Variance Application to obtain approval for the setback encroachments was submitted. On December 6, 2021, the Marion County Board of Adjustment (BOA)

conducted a public hearing to consider the variance request. No written opposition to the request was received and no members of the public appeared in opposition. The BOA acted to grant variances for the currently existing distillery structures, including the main distillery building and the series of accessory distillery structures along the south parcel boundary. The variance granted includes the following conditions:
1. Should anything happen to the structure(s) for any reason, rebuild/replacement must meet the then required setbacks or variance(s) must be obtained; and
2. Any future/additional building(s) on this property must be done in accordance to all current codes then in effect at that time and have all properly approved permits prior to proceeding.

The existing property includes an existing residence (1981/1,152 SF) with the noted off-set privacy fence along the south side of the property. A series of raised planter beds used to produce materials used for the distilling operation extend along the east and west sides of the property. The site's existing unpaved driveway enters from SW 20th Lane where a series of undefined parking areas are provided along the west side of the driveway. Staff observed storage containers and materials along the east side of the site driveway; however aerial images indicate those containers encroach on to adjoining privately owned property. The applicant indicates the owners are pursuing purchase of that site; however negotiations are currently on hold due to an inability to reach that property owner.

At the time of staff's visit, the applicant indicated the facility currently has three (3) full time employees, one of whom resides on site with the owner. The distillery employs up to five (5) additional employees depending on particular activities being conducted as part of the distillery operation (e.g., harvesting, processing, bottling, tasting event, etc.). The applicant indicated day to day distillery operations are typically Monday through Friday 8 am to 4 pm, with additional hours also depending on particular activities being conducted as part of the distillery operation (e.g., harvesting, processing, bottling, etc.).

The tasting area sessions are conducted by appointment only for up to 16 persons as the tasting area provides seating for up to 16 persons. The applicant indicated that tasting events are limited to Thursday through Sunday and typically occur from 3:30 pm to 8 pm. No formal handicapped seating or accommodations were observed by staff which is a concern in regards to the parking, access to the tasting area, and restroom. As noted, an existing parking area is indicated; however formal parking spaces are not indicated and were not apparent with the site inspection. Accommodating 16 guests with the tasting room/area, observing a parking ratio similar to a bar/nightclub average (1 space per 3.5 seats), would require five (5) formal parking spaces would be necessary, along with two (2) parking for the continuing residence, for a total of seven (7) parking spaces. It is not clear if the existing parking area may readily accommodate the needs of a tasting function as the specific number of spaces is not evident on the plan or with the staff site visit.

Staff notes that artisanal or craft distilleries are regulated by the state of Florida, including volume of distilled spirits that may be produced. Recent changes to Florida Statues have provided for increased sales allowances for artisanal/craft distilleries in relation to their gift shop/tasting room/areas. However, those provisions pertain to the relationship of the distillery and gift shop/tasting room/areas and sales volumes. Distilleries are generally identified by Marion County as commercial uses suited to the Urban Area in the Employment Center or Commerce District land use designations. Past distillery or similar approvals granted by Special Use Permit as an accessory extension of a rural agricultural property have limited the scope of such uses to maintain compatibility with the surroundings. Many such operations have been located on paved roadways, and operations which have grown larger than their established limits have adjusted operations to provide urban setting opportunities, a

primary example of which is the Katya Vineyards site that now features a retail store front operation located within the City of Ocala.

Infrastructure

The property is located in the Rural Lands and outside the Urban Growth Boundary in an existing rural neighborhood subdivision of generally 1-to-2 acre lots. The roadway travel distance to the site from W. Hwy 40 is approximately 2.5 miles, and the route is not a direct connection route requiring three (3) turns for access to and from the site. None of the subdivision roadways are currently paved, although the roadways are in a stabilized form and maintained by the Marion County Office of the County Engineer; however, the roadways are subject to environmental conditions between county maintenance actions with uneven surfaces apparent with staff's site visit. While the overall subdivision is part of a larger grouping of rural neighborhood subdivisions, it is not evident if, or when, further roadway improvements may be warranted. A commercial gift shop/tasting room/area would increase traffic to the site, along with the continuing traffic of the distillery operation.

The residence is served by on-site well and septic tank/drainfield and Marion County Utilities has noted that any additional development of this parcel including generating additional water or wastewater flows requires connection to MCU's utility system, by extension at Owner's expense unless waiver(s) applied for by, and granted to Owner for utility connection(s). The Office of the County Engineer Stormwater division similarly noted that any additional development of this parcel increasing impervious surface amounts will be subject to Major Site Plan review.

Analysis

In reaching its decision, the Commission must address the following:

1. **Granting the proposed use will adversely affect the public interest.** The site consists of two ±1-acre lots surrounded by similar parcels that make up the Westwood Acres North Subdivision consisting of 391 lots. The expansion and renewal of the proposed use would further increase and expand the production capabilities of a typically urban commercial use and initiate customer visitation into the surrounding rural neighborhood subdivisions which lack infrastructure of an urban nature such as paved roadways and street lighting for key intersections. Further, the now existing improvements were completed in conflict with the original and current SUP and have resulted in unauthorized setback encroachments that are ineligible for variance as they are the result of unpermitted improvements that provide inadequate accommodations for the general public in regards to parking, accessibility, and potential public safety. The proposed use, as recommended, will adversely affect the public interest.

2. **The proposed zoning change is not 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. The expansion and renewal of the proposed use would further increase and expand the production capabilities of a typically urban commercial use and initiate customer visitation into the surrounding rural neighborhood subdivisions inconsistent with Future Land Use Element Policies 2.1.6 and 3.1.4. The proposed use, as recommended, is not consistent with the Comprehensive Plan.

3. **The proposed use is not compatible with land uses in the surrounding area.** The site consists of two ±1-acre lots surrounded by similar parcels that make up the Westwood Acres North Subdivision

	consisting of 391 lots. The expansion and renewal of the proposed use would further increase and expand the production capabilities of a typically urban commercial use and initiate customer visitation into the surrounding rural neighborhood subdivisions which lack infrastructure of an urban nature such as paved roadways and street lighting for key intersections. Further, the now existing improvements were completed in conflict with the original and current SUP and have resulted in unauthorized setback encroachments that are ineligible for variance as they are the result of unpermitted improvements that provide inadequate accommodations for the general public in regards to parking, accessibility, and potential public safety. The proposed use, as recommended, is not compatible with the surrounding area. **STAFF RECOMMENDATION: DENIAL** **PLANNING & ZONING COMMISSION RECOMMENDATION: DENIAL (4-1)**

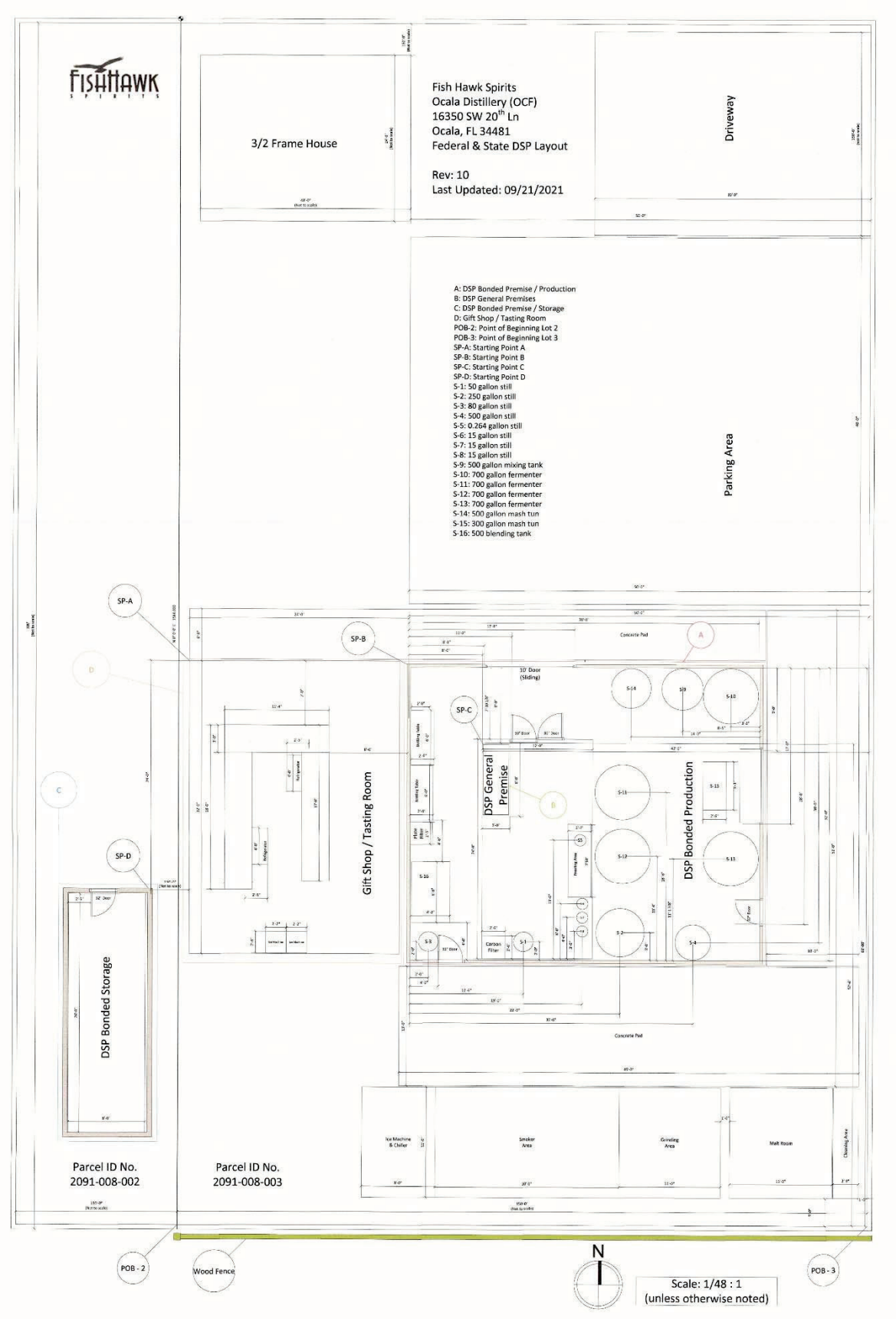
ALTERNATIVE APPROVAL CONDITIONS:

1. The site shall be developed and operated consistent with the Special Use Permit Application, the submitted conceptual plan, and the conditions as provided with this approval.
2. Access to the site shall be from SW 20th Lane.
3. The artisanal micro-distillery structures and operations shall be conducted consistent with following:
    a. On PID# 2091-008-002:
        i. Distillery storage building (DSP Bonded Storage) – 8' x 26' = 208 SF
    b. On PID# 2091-008-003:
        i. Main distillery building (SDP General Premise and DSP Bonded Production) – 38' x 32' = 1,1216 SF
        ii. Gift shop/tasting room – 24' x 32' = 768 SF
        iii. South accessory/processing areas:
            1. Ice Machine & Chiller – 8 x 11' = 88 SF
            2. Smoker Area – 20' x 11' = 220 SF
            3. Grinding Area – 11' x 11' = 121 SF
            4. Malt Room (shed) – 11'2" x 11' = 123 SF
            5. Cleaning Area – 2'9" x 11' = 30 SF
            6. Gift shop/tasting room single-stall restroom – (currently ±4' x SF ±4' = ±16 SF),
        iv. SW Corner - Metal storage shed – ±10' x ±12' = 120 SF
4. Within thirty (30) days of approval of this Special Use Permit, the applicant shall submit the following plans for review and approval through the County's appropriate review processes:
    a. Site plan to address site development requirements for both parcels, including but not limited to, stormwater, fire safety, utilities, parking & traffic design, etc. that coincide with the proposed use(s), and
    b. Building Permit(s) to insure the site's structures comply with Florida Building;

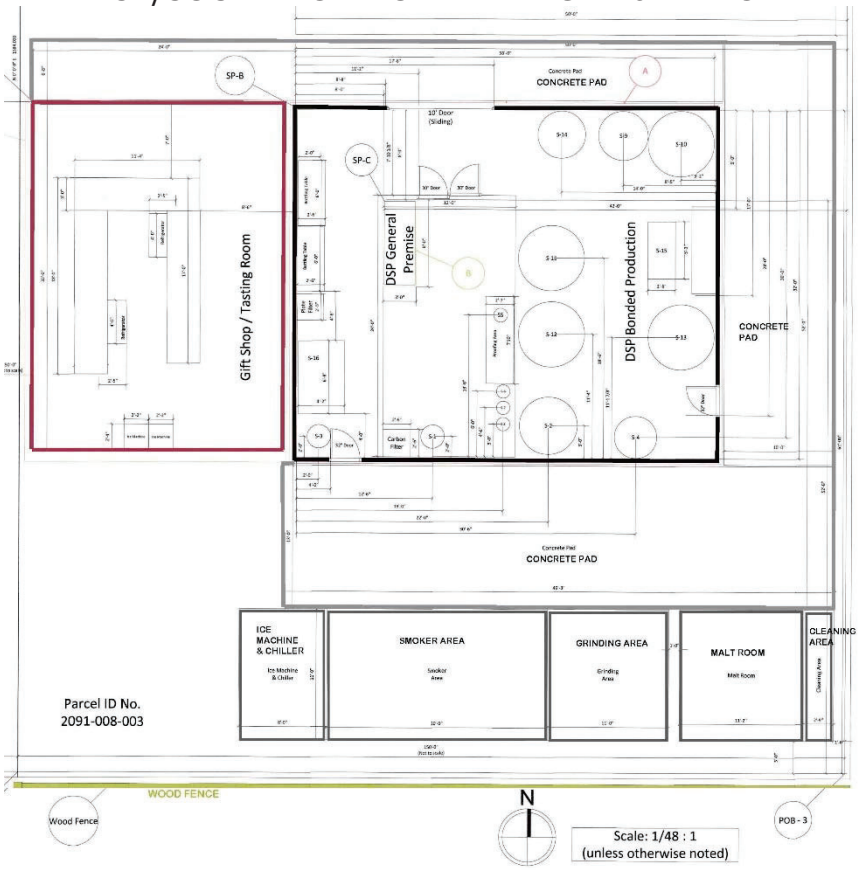
    in the event the owner/applicant fails to file the required plans, the Special Use Permit will expire.
5. The applicant shall obtain satisfactory final inspections for the site plan and Building Permit(s) for existing structures within ninety (90) days of approval of this Special Use Permit; in the event the owner/applicant fails to obtain the required final inspections, the Special Use Permit will expire.
6. Tasting room events shall be conducted by appointment only, with a maximum of (sixteen) 16 participants per tasting event. Tasting events will be limited to one event per day, Thursday through Sunday, and all tasting events will conclude at or before 8 p.m.

7. All gift shop operations and sales shall be conducted as part of the tasting room operation/experience; no independent commercial sales shall occur on-site.
8. No commercial signage shall be allowed on-site.
9. A corporate business officer and/or partner in Fish Hawk Spirits, LLC, shall reside on-site on Parcel Number 2091-008-003.
10. The Special Use Permit shall run with the owners (Jacquelyn F. Brady and Fish Hawk Spirits, LLC) and leasing operator, Fish Hawk Spirits, LLC, and not the property. In the event Jacquelyn F. Brady sells the property to Fish Hawk Spirits, LLC the Special Use Permit will remain valid with Fish Hawk Spirits, LLC then identified as the owner/operator. Any other change in ownership and/or any change in the leasing operator shall cause the Special Use Permit to expire; however a new Special Use Permit Application to modify the ownership and leasing operator requirements may be submitted for consideration through the Special Use Permit review process (or review process equivalent at that time).
11. The Special Use Permit shall expire on **December 29, 2024**; however it may be renewed administratively up to two (2) times, in five-year increments, 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 Manager 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).

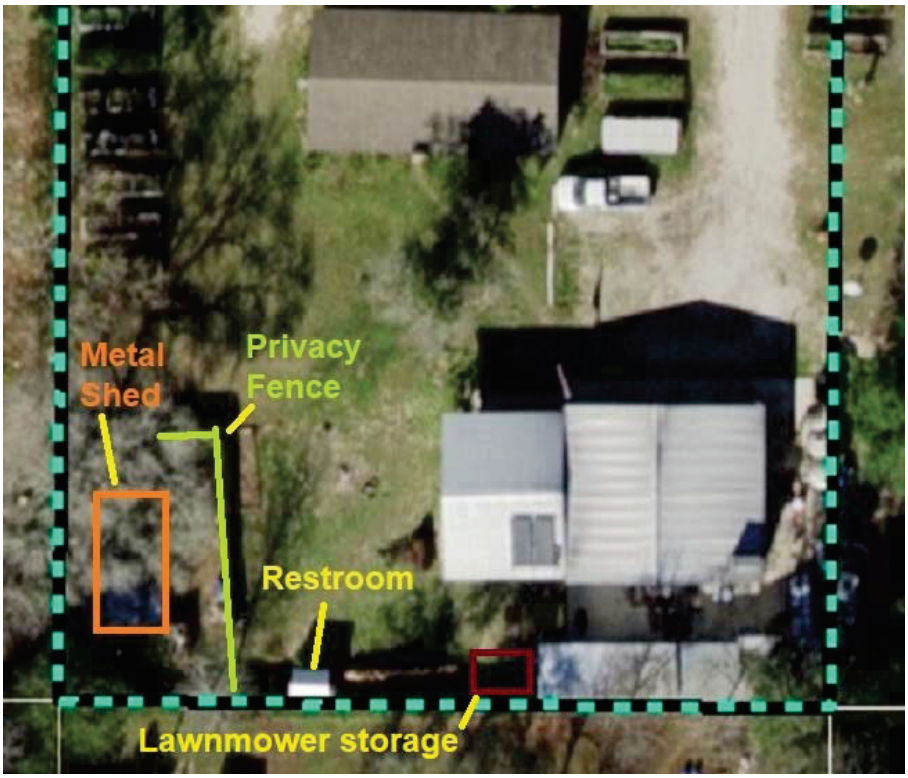
APPLICANT'S SUP CONCEPT PLAN



SUP CONCEPT PLAN – EAST/SOUTH PORTION ENLARGED & ANNOTATED



ANNOTATED AERIAL

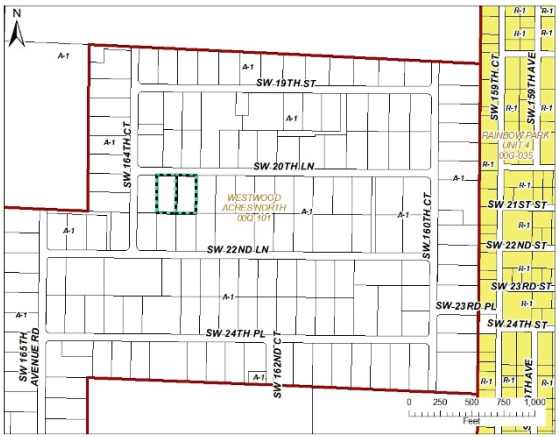


EXISTING FUTURE LAND USE DESIGNATION

LEGEND

RL - Rural Land (1 du/10 ac)	HR - High Residential (4-8 du/ac)	COM - Commercial (0-6 du/ac; FAR 1.0)	P - Public (N/A; FAR 1.0)
LR - Low Residential (0-1 du/ac)	UR - Urban Residential (8-16 du/ac)	EC - Employment Center (0-12 du/ac; FAR 2.0)	PR - Preservation (N/A; N/A)
MR - Medium Residential (1-4 du/ac)	RAC - Rural Activity Center 0-2 du/ac; FAR 0.35)	CD - Commerce District (N/A; FAR 2.0)	M - Municipality

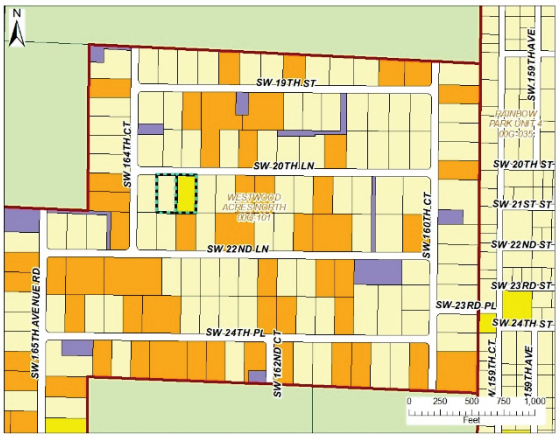
EXISTING ZONING



ZONING DISTRICTS

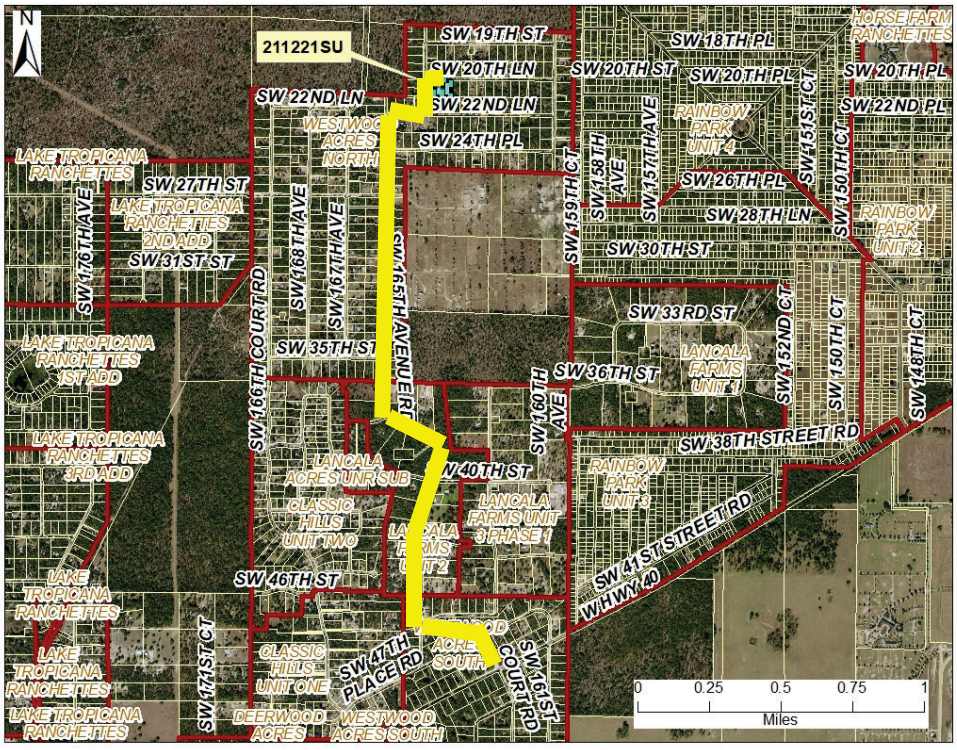
A-1 General Agriculture	R-2 One-and Two-Famiy Dwelling	RR Recreational Resort	B-4 Regional Business	I-C Industrial Complex
A-2 Improved Agriculture	R-3 Multiple Family Dwelling	RAC Rural Activity Center	B-5 Heavy Business	G-U Government Use
A-3 Residential Agricultural Estate	R-4 Residential Mixed Use	R-O Residential Office	RC-1 Rural Commercial	R-PUD Residential Planned Unit Development
RR-1 Rural Residential	MH Manufactured Housing	B-1 Neighborhood Business	RI Rural Industrial	PUD Planned Unit Development
R-E Residential Estate	P-MH Mobile Home Park	B-2 Community Business	M-1 Light Industrial	
R-1 Single-Family Dwelling	P-RV Recreational Vehicle Park	B-3 Specialty Business	M-2 Heavy Industrial	

EXISTING USE PER MARION COUNTY PROPERTY APPRAISER'S OFFICE PROPERTY CODE



Vacant Res	MFR	Commercial	RuralBldgSite	Private Institutional	Utility	Water/submerged
SFR	Group Living Qrtrs	Vacant Industrial	Ag Production	Goverment Institution	R/W	Mining
MHR	Vacant Com	Industrial	Vacant Institutional	Military	Recreation/Park/Forest	Sewage/Waste/Barrow
						Acreage Non-classified

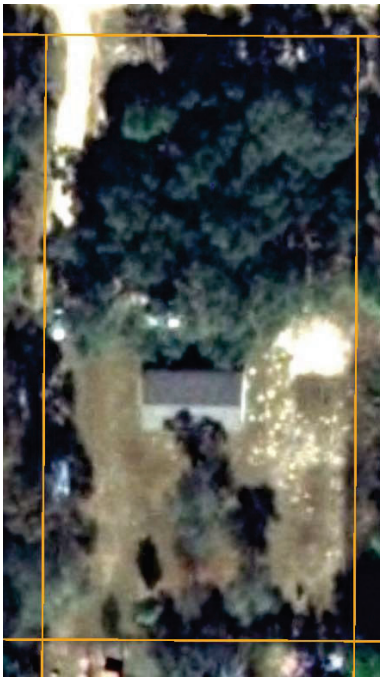
EXPANDED AERIALS



Travel route to site from W. Hwy 40 is marked with yellow line.

AERIAL PHOTO HISTORY (ORIGINAL PARCEL)

SOURCE: MARION COUNTY GEOGRAHIC INFORMATION SYSTEM/FLORIDA DEPARTMENT OF TRANSPORTATION



2011

2013

2015

2017

2019

SOURCE: GOOGLE EARTH (EST. ORIGINAL PARCEL IN YELLOW, 2ND PARCEL IS TO RIGHT)

1/2012

11/2015

11/2016

3/2018

11/2018

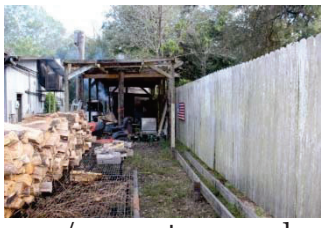
1/2021

2021 SITE PHOTOS

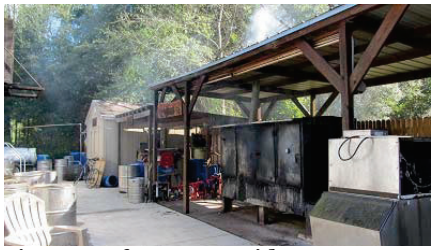
1. View of enlarged distillery building

Views of gift shop/tasting room/area

2. Views of gift shop/tasting room/area and rear accessory distilling operation area



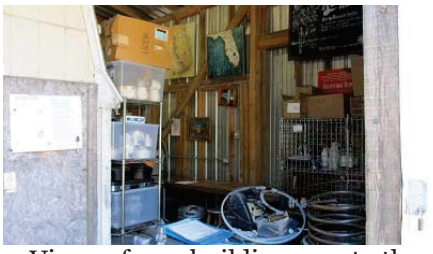
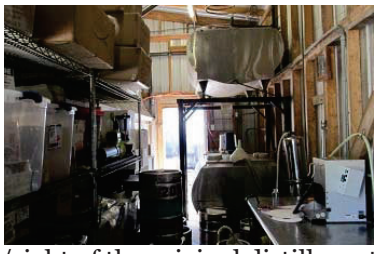
3. Views of gift shop/tasting room/area restroom and south fence line and rear accessory distilling operation area



4. Views of rear accessory distilling operation area from west side.

5. Views of rear accessory distilling operation area from east side

6. View of original distillery structure enclosed by new building, with interior view of original structure.

7. Views of new building area to the west/right of the original distillery structure.

8. Views of new building area to the east/left of the original distillery structure.

9. View north from new building northwest to north/northeast. Storage container to right beyond ATV is “off-site.”

10. View northwest to west from original site – Left is property to be added to site (used for crop area); on-site residence is on right.

11. Views of storage building, ag. equipment and storage shed along south boundary of property to be added to the site.

2015 SPECIAL USE PERMIT SITE PHOTOS

1.
View of chain link fence that surrounds the distillery.

2.
View of fermenting vats on east/left side distillery building.

3.
View of distillery building.

4.
View of bottling area on west/right side of distillery building.

5.
View of privacy fence at rear of distillery building.

VARIANCE ACTION FORM

ITEM NO: 211205V **DATE OF PUBLIC HEARING: December 6, 2021**

OWNER NAME(s): **Jacquelyn F. Brady**
1180 SW 158th Avenue
Ocala, FL 34481

AGENT NAME(s): **Joseph Fiano** – ***c/o: Fish Hawk Spirits, LLC.***
16350 SW 20th Lane
Ocala, FL 34481

LEGAL DESCRIPTION OF PROPERTY: Parcel Account No. **2091-008-003**, *SEC 21 TWP 15 RGE 19*, "Westwood Acres North", in Marion County, Florida.

VARIANCE REQUESTED: Requests a reduction of the (East) side setback from 25' to 1', and a reduction of the (South) rear setback from 25' to 5' for an existing distillery building and accessory structures for artisanal craft micro-distillery (Fish Hawk Spirits, LLC), in an A-1 (General Agriculture) zoning classification.

****

FINDINGS OF BOARD OF ADJUSTMENT

1. **Written Petition**. A written petition for a Variance has been submitted demonstrating that:

   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.

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

   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 of the applicant.

   D. The Variance, if granted, in the minimum Variance that will allow the reasonable use of the land, building or structure.

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

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

2. X **GRANTED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have been demonstrated by the applicant for Variance.

3. _____ **DENIED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have not been demonstrated by the applicant for Variance.

4. X **CONDITIONS & SAFEGUARDS:**
   (A.) Should the structure be removed for any reason, any replacement structure must meet the then required setbacks or a variance must be requested.
   (B.) Any future/additional Building(s) on this property must be done in accordance to all current codes and must have all properly approved permits to proceed.

12-6-2021
CHAIRMAN DATE

Development Review Comments Letter

6/16/2025 1:38:25 PM

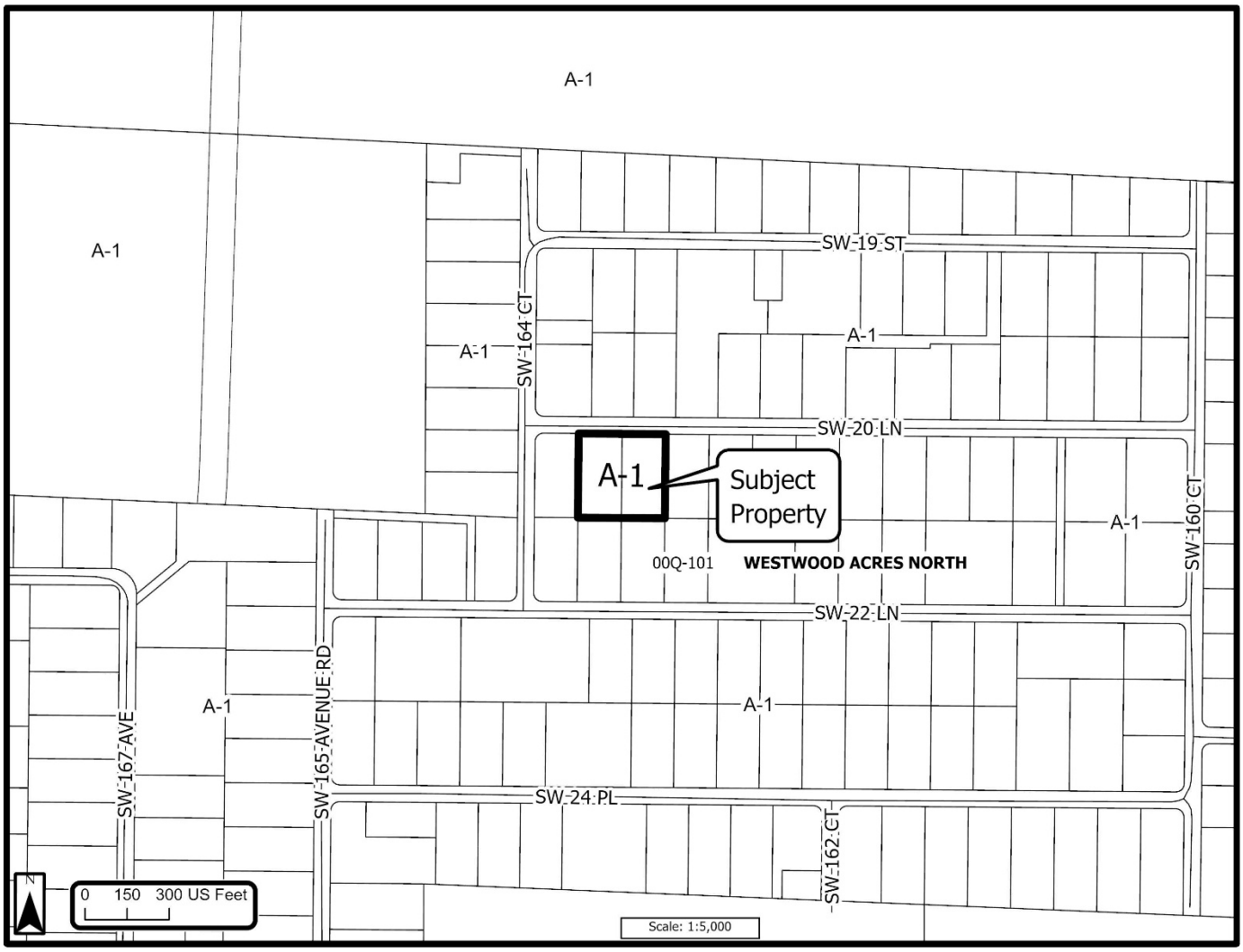
BRADY JACQUELYN F BRADY
ZO SUP #32463

ID	DESCRIPTION	REMARK	STATUS	DEPT	APPLICANT RESPONSE
1	Special Use Permit	N/A	INFO	911	
2	Special Use Permit	Requires regulated well by DEP or DOH. Please provide proof of regulation of water system. If serving alcohol the business will require a food permit through the Department of Health in Marion County. Will require a septic permit to determine if the existing system is sufficient for proposed use.	NO	DOH	
3	Special Use Permit	Stormwater is not opposed to the special use permit. The applicant is requesting a SUP for the purpose of a micro-distillery. Parcels 2091-008-002 & 2091-008-003 are currently zoned A-1 and are collectively 2.13 acres in size. There are no FEMA Flood Zones or County Flood Prone Areas on this site. Per the MCPA, parcel 2091-008-002 currently has 0 SF of impervious coverage while parcel 2091 -008-003 currently has 6,244 SF of impervious coverage. This site will be subject to a Major Site Plan or waiver when the existing and proposed impervious coverage of either parcel exceeds 9,000 SF.	INFO	ENGDRN	

ID	DESCRIPTION	REMARK	STATUS	DEPT	APPLICANT RESPONSE
4	Special Use Permit	2/19/25 - Recommend Reject: Unpaved road is inconsistent with commercial enterprise described which includes a distillery, a tasting room, and a gift shop. The “plant” is 3,298 square feet and according to the ITE Trip Generation Manual, 11th Edition, a Brewery Tap Room (Land Use Code 971), would generate an average weekday maximum peak hour trip of 36 and a daily average of 403 trips on a Saturday. If the SUP is approved, traffic recommends the following as a condition of approval: Applicant shall provide a paved route from the end of the paved section of SW 27th St continuously to the project driveway and shall submit an improvement plan for that construction for review and approval through the DRC process.	INFO	ENGTRF	
5	Special Use Permit	Approved	INFO	FRMSH	
6	Special Use Permit	any property improvements will require a site plan submittal	INFO	LSCAPE	
7	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	LUCURR	
8	Special Use Permit	2.12.25 - Marion County Utility service area. No water and sewer readily available or within connection distance for proposed use. Defer to Department of Health for onsite water and wastewater.	INFO	UTIL	
9	Special Use Permit	The review will be conducted at the time of the reporting process.	INFO	ZONE	

Public Notification for: SPECIAL USE PERMIT
Marion County Growth Services Planning & Zoning (352) 438-2675

250502SU



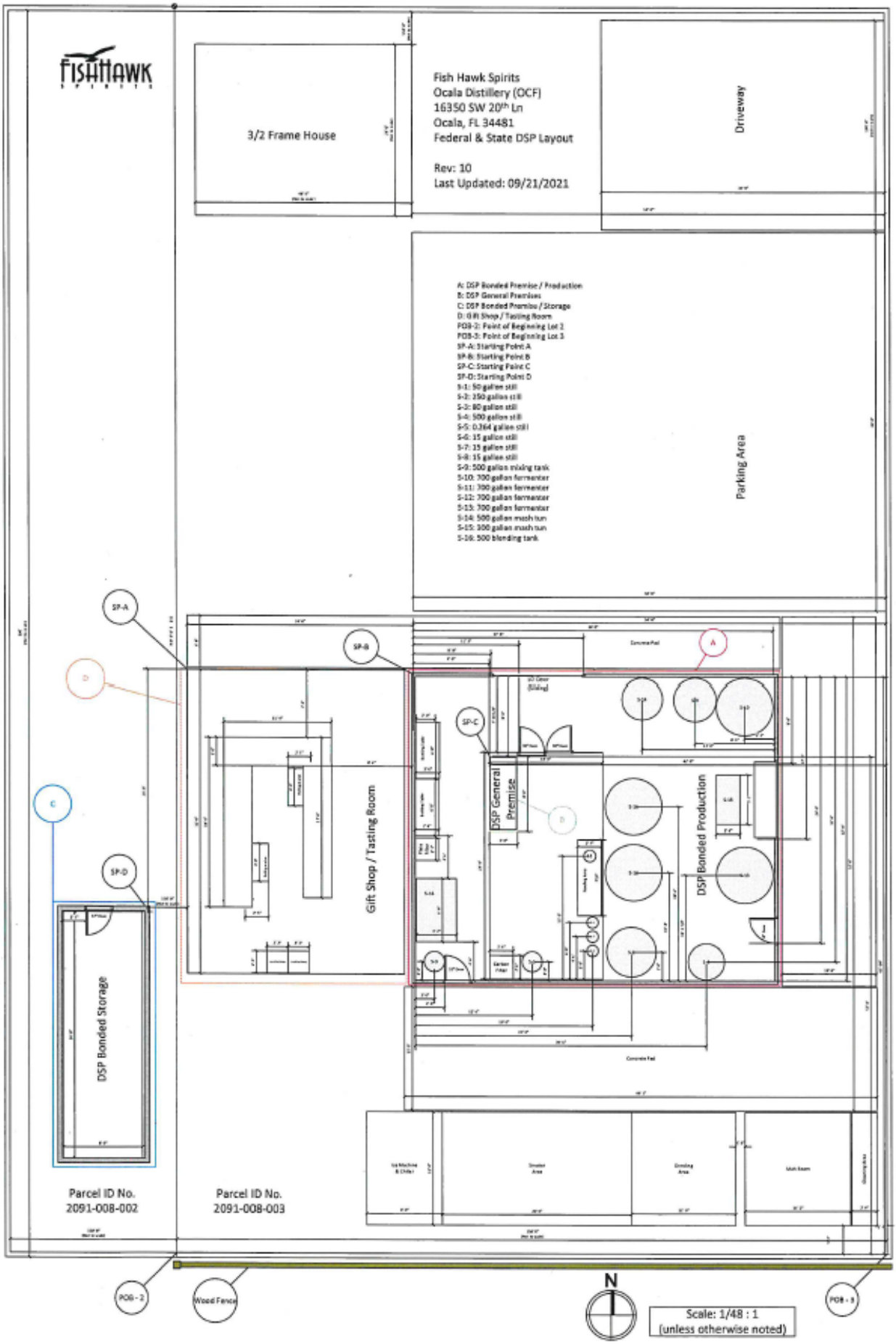
First Public Hearing: Planning & Zoning Commission ***07/28/2025 @ 5:30 p.m.***	**Owner(s):**	Jacquelyn Brady & Fish Hawk Spirits, LLC
	Agent(s):	David Molyneaux
	Location:	16350 SW 20th Lane, Ocala, FL 34481
Second Public Hearing: Board of County Commissioners ***TBD***	**Parcels(s):**	2091-008-003 & 2091-008-002
	Zone(s):	A-1 (General Agriculture)
	Acre(s):	± 2.13

Public Hearing Location: 601 SE 25th Avenue, Ocala, FL 34471 - McPherson Governmental Campus Auditorium

Request Description: Special Use Permit to allow for the operation of an artisanal micro-distillery in a (A-1) General Agriculture zone.

You are receiving this notification because you own property that is located within 300' of the subject parcel(s)
If you have any questions, please call (352) 438-2675

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 in visual representation only and is not intended to be used as a legal or official representation of legal boundaries.


FISHHAWK SPIRITS
3/2 Frame House
Fish Hawk Spirits
Ocala Distillery (OCF)
16350 SW 20th Ln
Ocala, FL 34481
Federal & State DSP Layout
Rev: 10
Last Updated: 09/21/2021
Driveway
Parking Area
A: DSP Bonded Premise / Production
B: DSP General Premises
C: DSP Bonded Premise / Storage
D: Gift Shop / Tasting Room
POB-2: Point of Beginning Lot 2
POB-3: Point of Beginning Lot 3
SP-A: Starting Point A
SP-B: Starting Point B
SP-C: Starting Point C
SP-D: Starting Point D
S-1: 50 gallon still
S-2: 250 gallon still
S-3: 80 gallon still
S-4: 500 gallon still
S-5: 0.264 gallon still
S-6: 15 gallon still
S-7: 15 gallon still
S-8: 15 gallon still
S-9: 500 gallon mixing tank
S-10: 700 gallon fermenter
S-11: 700 gallon fermenter
S-12: 700 gallon fermenter
S-13: 700 gallon fermenter
S-14: 500 gallon mash tun
S-15: 500 gallon mash tun
S-16: 500 blending tank
SP-A
SP-B
SP-C
SP-D
A
B
C
D
Gift Shop / Tasting Room
DSP General Premise
DSP Bonded Production
DSP Bonded Storage
Parcel ID No.
2091-008-002
Parcel ID No.
2091-008-003
POB-2
Wood Fence
POB-3
N
Scale: 1/48 : 1
(unless otherwise noted)

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19932 **Agenda Date:** 7/28/2025 **Agenda No.:** 2.2.

SUBJECT:
250805ZC - Joseph Petrolino, Zoning Change from Mixed Residential (R-4) to Manufactured Housing Park (P-MH), 2.51 Acres, Parcel Account Number 3582-253-000, Site Address (ALL UNITS) 5727 SE 27th Avenue, Ocala, FL 34480

DESCRIPTION/BACKGROUND:
Joseph Petrolino, property owner, has filed an application to rezone a 2.51-acre property on the northern side of SE 27th Ave. and east of US Hwy 441, from Mixed Residential (R-4) to Manufactured Housing Park (P-MH), pursuant to the provisions of Land Development Code (LDC) Division 2.7 - Zoning and LDC Section 4.2.14. The subject property is inside the Urban Growth Boundary (UGB) and in the County's Primary Springs Protection Overlay Zone (P-SPOZ).

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

P&Z Date: 07/28/2025	**BCC Dates: 08/18/2025**
Case Number	250805ZC
CDP-AR	32763
Type of Case	**Rezoning** from Mixed Residential (R-4) to Manufactured Housing Park (P-MH).
Owner	Joseph Petrolino
Applicant	Joseph Petrolino
Street Address/Site Location	5727 SE 27th Ave. Ocala, FL 34480
Parcel Number(s)	3582-253-000
Property Size	± 2.51 acres
Future Land Use	High Residential (HR)
Existing Zoning Classification	Mixed Residential (R-4)
Overlays Zones/Special Areas	Urban Growth Boundary (UGB), Primary Springs Protection Overlay Zone (P-SPOZ)
Staff Recommendation	**Denial**
P&Z Recommendation	**TBD**
Project Planner	Kathleen Brugnoli, Planner
Related Cases	980701Z: R-4 to P-MH – Denied.

I. ITEM SUMMARY

Joseph Petrolino has filed a rezoning application to change from Mixed Residential (R-4) to Manufactured Housing Park (P-MH) for an overall ±2.51-acre parcel (see Attachment A). The Parcel Identification Number for the property is 3582-253-000; the site address is 5727 SE 27th Ave. Ocala, FL 34480, and the legal description is provided within the application (see Attachment A). Currently the site is pre-existing nonconforming manufactured home park named JPP Silver Springs MHP with an allowance of 6 sites, all of which are full. The proposed zoning change would allow an expansion of the number of manufactured homes on the site from 6 to 20 due to the High Residential Land Use Designation, eight dwelling units per acre. The area is not served by centralized water or sewer and has limited access and connectivity with a road network being unpaved within this residential area. The site is located within the Urban Growth Boundary (UGB) as well as the Primary Springs Protection Overlay Zone (P-SPOZ).

Figure 1
General Location Map

II. STAFF SUMMARY RECOMMENDATION

Staff recommends **Denial** of the rezoning application. Staff finds that allowing up to eight dwelling units per acre for a manufactured home park where the infrastructure is lacking due to unpaved roads, no pedestrian facilities, no centralized water or sewer would adversely affect public interest, is inconsistent with the Comprehensive Plan, and is not compatible with surrounding uses.

III. NOTICE OF PUBLIC HEARING

Consistent with Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (18 owners) within 300 feet of the subject property on July 11, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on July 14, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on July 14, 2025. 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, no letters of opposition or support have been received.

IV. ANALYSIS

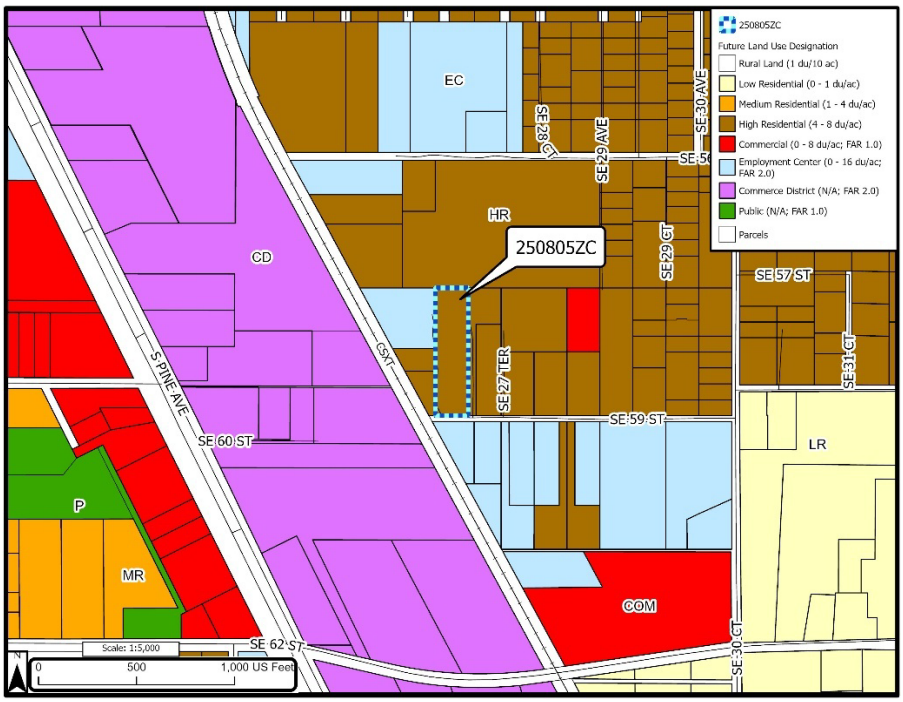
LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, but that the proposed zoning change is not consistent with the current Comprehensive Plan, and that it is not compatible with land uses in the surrounding area. Staff's analysis of these three criteria are addressed below.

A. *How is the request compatible with surrounding uses?*

Compatibility is defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Figure 1 is a general location aerial displaying existing and surrounding site conditions.

Figure 2 shows the subject property as well as properties to the east, southwest, and north as being designated High Residential with Employment Center to the south and northwest.

Figure 2
FLUMS Designation



The site is located within the Urban Growth Boundary as well as the Primary Springs Protection Overlay Zone (P-SPOZ)

Figure 3 displays the current zoning for the subject property in relation to the existing zoning of the surrounding properties while Figure 4 displays the proposed zoning relative to that of the parcels surrounding it. The area surrounding the subject parcel is similarly zoned R-4 allowing site-built homes as well as modular and mobile homes. There is a parcel on the south side of SE 59th St. that is zoned P-MH but that parcel was not the result of a zoning change, this was the initial zoning classification provided to the parcel. Any properties in the surrounding area with multiple mobile homes on them are similarly zoned R-4 and are operating as a legally non-conforming use meaning they are allowed to exist “as-is” but are not permitted to increase the intensity or density of that non-conformity. The proposed zoning change would be unlike the surrounding uses and would result in spot zoning.

A zoning change request for the same property and the same zoning classification was heard by the Board of County Commissioners on 1998 (Attachment C Page 26-28). The applicant at the time was trying to rezone the property from R-4 to P-MH for the same intended use of adding more mobile homes to the property. At the time, the applicant stated this was to come into compliance with the state regarding mobile home parks. However, the other option was to remove a single mobile home to be in compliance with the county’s land use and this would not require the state approval as it was a legally non-conforming use. The applicant

additionally stated that due to the cost, it was not feasible to install a water treatment plant to serve the park. Planning & Zoning board as well as the Board of County Commissioners agreed that the request was not compatible with the surrounding land uses and would adversely affect the public interest and recommended denial. The P&Z hearing minutes cite issues with wear and tear on the dirt road with existing stormwater issues, lack of justified need, and a loss of neighborhood unity with the potential for frequent resident turnover in the park (Attachment C Page 2).

Figure 3
Existing Zoning Classification

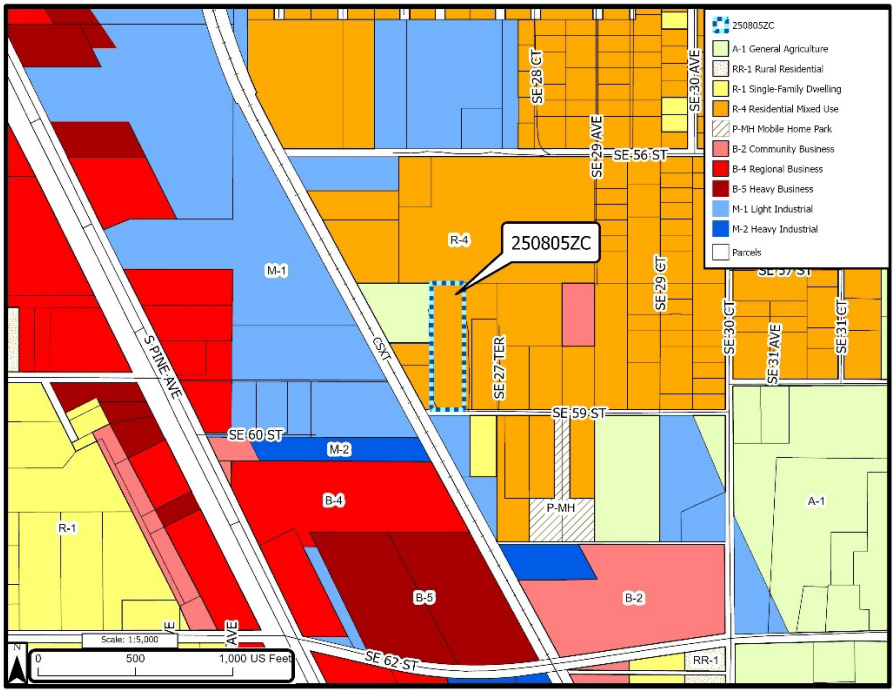


Figure 4
Proposed Zoning Classification

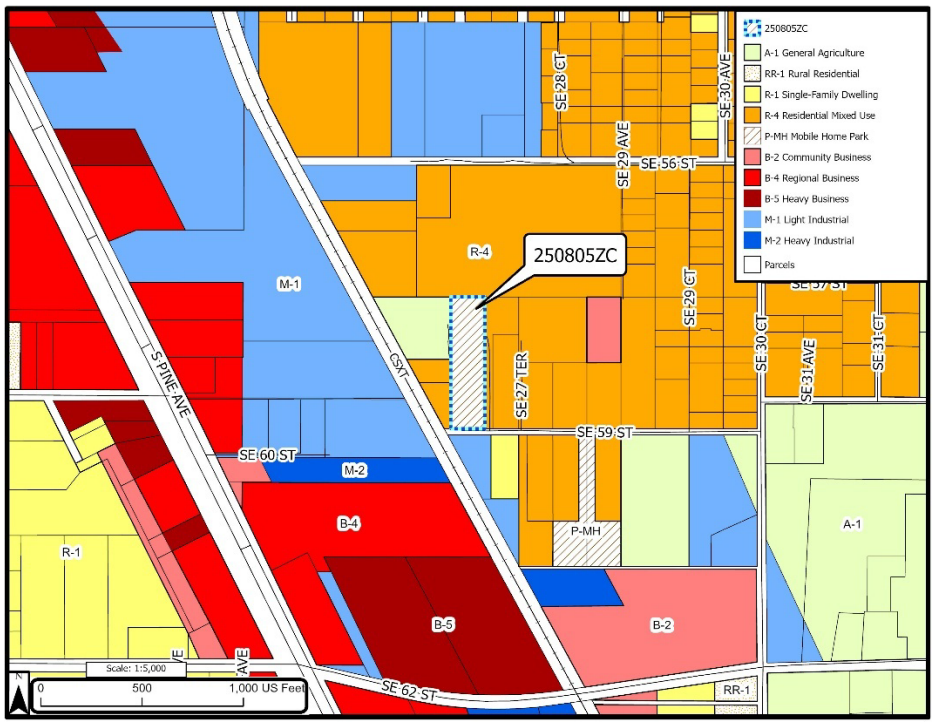


Figure 5 provides an aerial image of the subject property and surrounding area, while Figure 6 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

A. Table A displays the information of Figures 2, 3, and 6 in tabular form. Consistent with LDC Section 2.7.3.D, staff conducted a site visit on July 14, 2025 and found the property developed with the existing homes being towards the rear (north) of the property. The portion of property fronting on SE 59th St. is heavily vegetated and conceals view in to the property almost entirely. To the southwest is the CSX railroad with single-family homes to the west, east, and south of the property.

Figure 5
Property Aerial

Figure 6
Existing Use per Property Appraiser Property Code

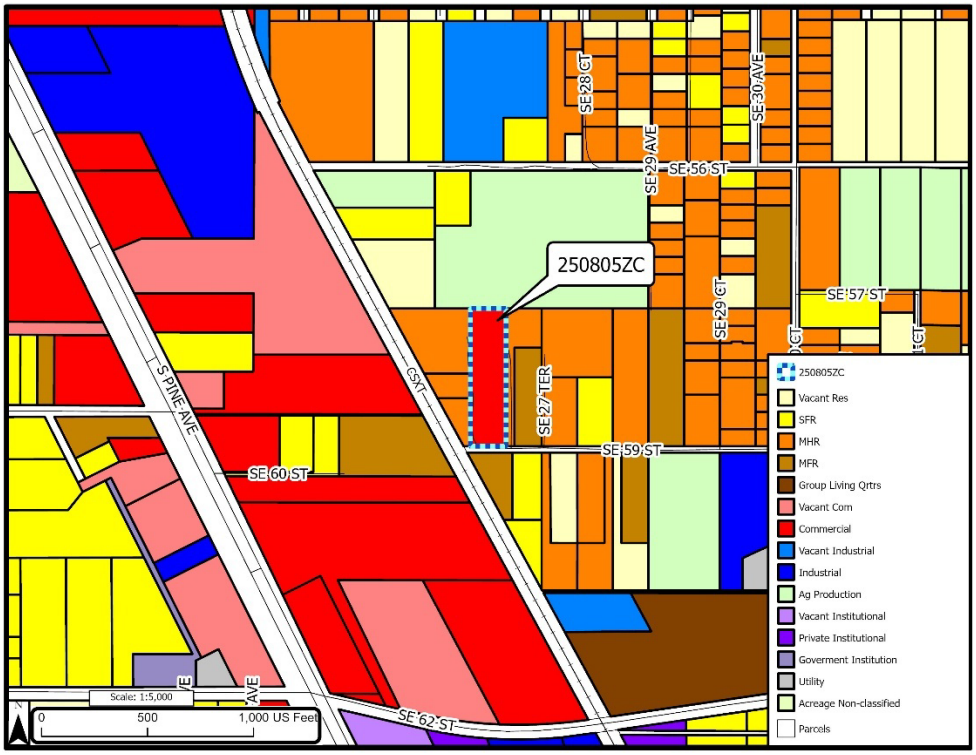


TABLE A. Adjacent Property Characteristics			
Direction	**FLUM Designation**	**Zoning Classification**	**Existing Use per Property Appraiser Code**
North	High Residential (HR)	Mixed Residential (R-4)	Ag Production
South	Employment Center (EC)	Light Industrial (M-1)	Multi-family (Home + guest cottage)
East	High Residential (HR)	Mixed Residential (R-4)	Manufactured Home
West	Employment Center (EC) High Residential (HR)	General Agriculture (A-1) Mixed Residential (R-4)	Manufactured Home

Based on the above findings, the proposed rezoning application is **not compatible** with the existing and future surrounding land uses because the change looks to introduce a zoning that, based on today's standards, does not match the area or surrounding uses. The parcel is currently operating as legally non-conforming, to grant a rezoning that allows the non-conforming use would then introduce a non-conforming zoning classification to the area.

How does the request affect the public interest?

1. Transportation impacts. These include roadways, public transit, and other mobility features.
   a. Roadways. The property fronts on SE 59th Street, an unpaved subdivision local road maintained by Marion County. Traffic did not provide any comments on the rezoning. Using the ITE 10th Edition Trip Generation Planner, staff was able to find that based on the maximum of 20 units for 2.51 acres of high residential, the parcel could generate up to 100 daily trips with five peak AM and 9 peak PM trips.

   b. Public transit. There are currently no fixed route services available in the area.

   c. Other mobility features. No sidewalks currently exist on this portion of SE 59th St. Therefore, the application would not adversely affect the public interest.

   Based on the above findings, the rezoning roadway **impacts may adversely affect the public interest.**

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of 150 gallons per person per day for residential demand and approximately 2,750 gallons per acre per day for nonresidential demand. Based on the residential calculation, the proposed rezoning would result in a potential demand of up to 7,500 gallons but the property is not served by central water and is instead currently served by well. The nearest available water connection to this site was provided in DRC comments from Utilities as being approximately 6,500 feet away. Department of Health (DOH) provided comments on the rezoning and stated the following, "This will require an updated application for the MHP and limited use water system permits through the DOH in Marion County (Attachment D)." **Potable water impacts would not adversely affect the public interest.**

3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand. Based on the residential calculation, the proposed rezoning would result in a potential demand of 5,500 gallons if required to connect to central sewer services. The property is currently served by septic but based on the proposed development and LDC Section 6.14.2.C.(2)(a), "New residential developments with five or more ERCs shall be serviced by a decentralized wastewater treatment system." DOH also provided notes regarding the on-site septic, "The addition of a new MH will require a to-scale site plan of the park and proposed new space. This will require a septic permit through the Department of Environmental Protection (DEP)." S**anitary sewer impacts would not adversely affect the public interest.**

4. Solid waste impacts. Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day for residential demand. A commercial/industrial level of service standard is not currently in place for Marion County as such operations are required to provide for individual commercial collection wherein disposal within Marion County is alternatively addressed. Based on the above, the rezoning **solid waste impacts would not adversely affect the public interest.**

5. Recreation. Recreation Element Policy 1.1.1. adopts a level of service standard of two (2) acres per 1,000 persons. A commercial/industrial level of service standard is not currently in place for Marion County. Based on the current and intended uses being commercial in nature, **recreation impacts would not adversely affect the public interest.**

6. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site includes flood prone areas located near the southern end of the property as well as the northwest portion of property. Stormwater notes in DRC comments (Attachment C) that the parcel is at roughly 7,500 sq. ft.

of impervious and will require a major site plan review when 9,000 sq. ft. is met or exceeded. Based on the above, the rezoning **stormwater/drainage impacts would not adversely affect the public interest.**

7. Fire rescue/emergency services. The site is officially located in the service district for Shady Fire Station #16, located at 7151 S. Magnolia Ave., Ocala, approximately three (4) miles southwest of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Still, Marion County has established a 5-mile drive time from the subject property as evidence of the availability of such services. Based on the above, the rezoning **fire rescue/emergency impacts would not adversely affect the public interest.**

8. Law enforcement. The nearest Sherriff substation is the Marion Oaks District Office located approximately 2.4 miles southeast of the subject property at 3260 SE 80th St., Ocala. The Comprehensive Plan does not establish a level of service standard for law enforcement services but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, the application's **law enforcement impacts may adversely affect the public interest.**

9. Public schools. local school zones include Shady Hill Elementary (87%), Belleview Middle (108%), and Forest High (103%) with corresponding capacity figures from 60th day of the '24- '25 school year. While there are areas of localized overcrowding within the county, overall, Marion County Public Schools (MCPS) currently has sufficient district-wide capacity; further, MCPS is examining school capacities and is currently undertaking the construction of new public schools. Therefore, the application's public-school impacts **would not adversely affect the public interest.**

When weighing the totality of the circumstances, the added trips to the dirt roads, increase of wells, and need of a decentralized wastewater treatment system, the **public interest will be adversely affected**.

B. *How is this request consistent with the Comprehensive Plan?*

1. FLUE Policy 1.1.6: Buffering of Uses provides, "The County shall require new development or substantial redevelopment to provide buffering to address compatibility concerns and reduce potential adverse impacts to surrounding properties, as further defined in the LDC."

   Analysis: The zoning change requested, if approved, would be a substantial redevelopment looking to expand the manufactured housing park use and requiring the property to meet today's standards for development. There are two parcels in the area, both commonly owned and contiguous, that are zoned P-MH such as the request being made. Even those parcels are being used residentially for a single manufactured house.

The need to expand is not justified and to allow the zoning would create issues of compatibility for surrounding properties being used residentially for single-family homes and privately owned. While the current use of the property is recognized as legally non-conforming, to allow a change in zoning that encourages increased intensity would create issues regarding buffering of uses. Therefore, the proposed rezoning is **not consistent** with FLUE Policy 1.1.6.

2. FLUE Policy 4.1.2 on Conflicts between Comprehensive Plan, Zoning, and LDC provides, "The Comprehensive Plan shall be the governing document. In the event of conflict between the Comprehensive Plan, Zoning, and LDC, the more stringent regulation shall apply, unless the County has developed a process to allow a variance or waiver of the regulation where a conflict in regulations occurs in accordance to the Comprehensive Plan, Zoning, or LDC."

   Analysis: While HR land use would be compatible with a P-MH zoning, the conflict with this application is the zoning of the surrounding area. The area surrounding the subject parcel consists of R-4 and A-1, single-family dwelling classifications. The zoning classification is unlike that of the zoning surrounding, making the zoning the more stringent regulation in this case. The proposed rezoning would be **not consistent** with FLUE Policy 4.1.2.

3. FLUE Policy 5.1.3 on Planning and Zoning Commission provides, "The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The advisory board's purpose is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

   Analysis: The proposed zoning change is scheduled for the July 28, 2025, Planning and Zoning Commission, and, therefore, the application is **consistent** with this FLUE Policy 5.1.3.

4. FLUE Policy 5.1.4 on Notice of Hearing provides, "The County shall provide notice consistent with Florida Statutes and as further defined in the LDC."

   Analysis: Public notice has been provided as required by the LDC and Florida Statutes and, therefore, the application is being processed **consistent** with FLUE Policy 5.1.4.

Based on the totality of the above findings, the proposed rezoning **is not consistent with the Comprehensive Plan**.

V. ALTERNATIVE ACTIONS

A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support a recommendation for the denial of the Ordinance, and make a recommendation to adopt a proposed Ordinance to **APPROVE** the rezoning amendment.

B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance and make a recommendation to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VI. STAFF RECOMMENDATION

Staff recommends the Board enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **DENY** the proposed rezoning because the application:

A. Will adversely affect the public interest;

B. Is not consistent with the Comprehensive Plan provisions because it is not in conformance with:
    1. FLUE Policies: 1.1.6, 4.1.2,

C. Is incompatible with the surrounding uses because the proposed rezoning would introduce spotty zoning to an area of predominantly single-family homes.

VII. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined.

VIII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

IX. LIST OF ATTACHMENTS

A. Rezoning application.
B. Site and Area Photographs.
C. Historical Information
D. DRC Comments.
E. Surrounding Property Owners Notification.

Marion County
Board of County Commissioners

Growth Services ▪ Planning & Zoning

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2675
Fax: 352-438-2676

APPLICATION FOR REZONING

Application No.: _____

The undersigned hereby requests a zoning change of the Marion County Land Development Code, Article 4, Zoning, on the below described property and area, from R4 to MHP, for the intended use of:

increase density to add a few more mobile homes

Legal description: (please attach a copy of the deed and location map)

Parcel account number(s): 3582-253-000

Property dimensions: 168x650 **Total acreage:** 2.51

Directions: se 62nd st to se 30th ct. make a left to se 59th st. make a felt and follow the road to the end. on the right is se 27th ct

The property owner must sign this application unless he has attached written authorization naming an agent to act on his/her behalf.

petR7867@gmail.com

joseph petrolino
Property owner name (please print)

21701 marigot dr
Mailing address

boca raton fl 33428
City, state, zip code

954-394-2766
Phone number (please include area code)

Joseph Petrolino
Signature

Applicant or agent name (please print)

Mailing address

City, state, zip code

Phone number (please include area code)

Signature

Please note: the zoning change will not become effective until 14 days after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is $1,000.00, and is non-refundable. For more information, please contact the Zoning Division at 352-438-2675.

****

FOR OFFICE USE ONLY

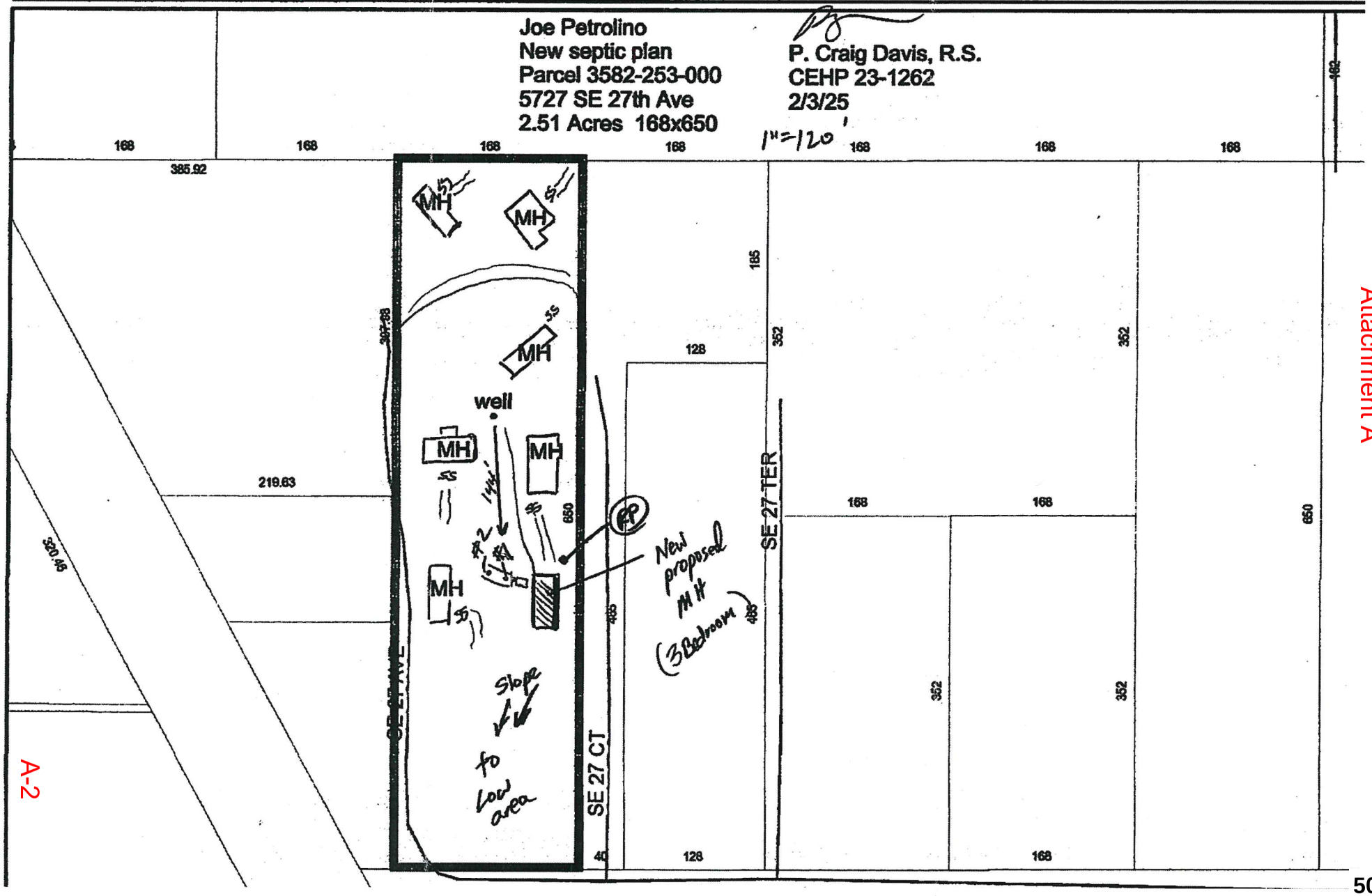
RECEIVED BY: EM **DATE:** 4/22/25 **ZONING MAP NO.:** 198

AR 32763

Rev. 01/11/2021

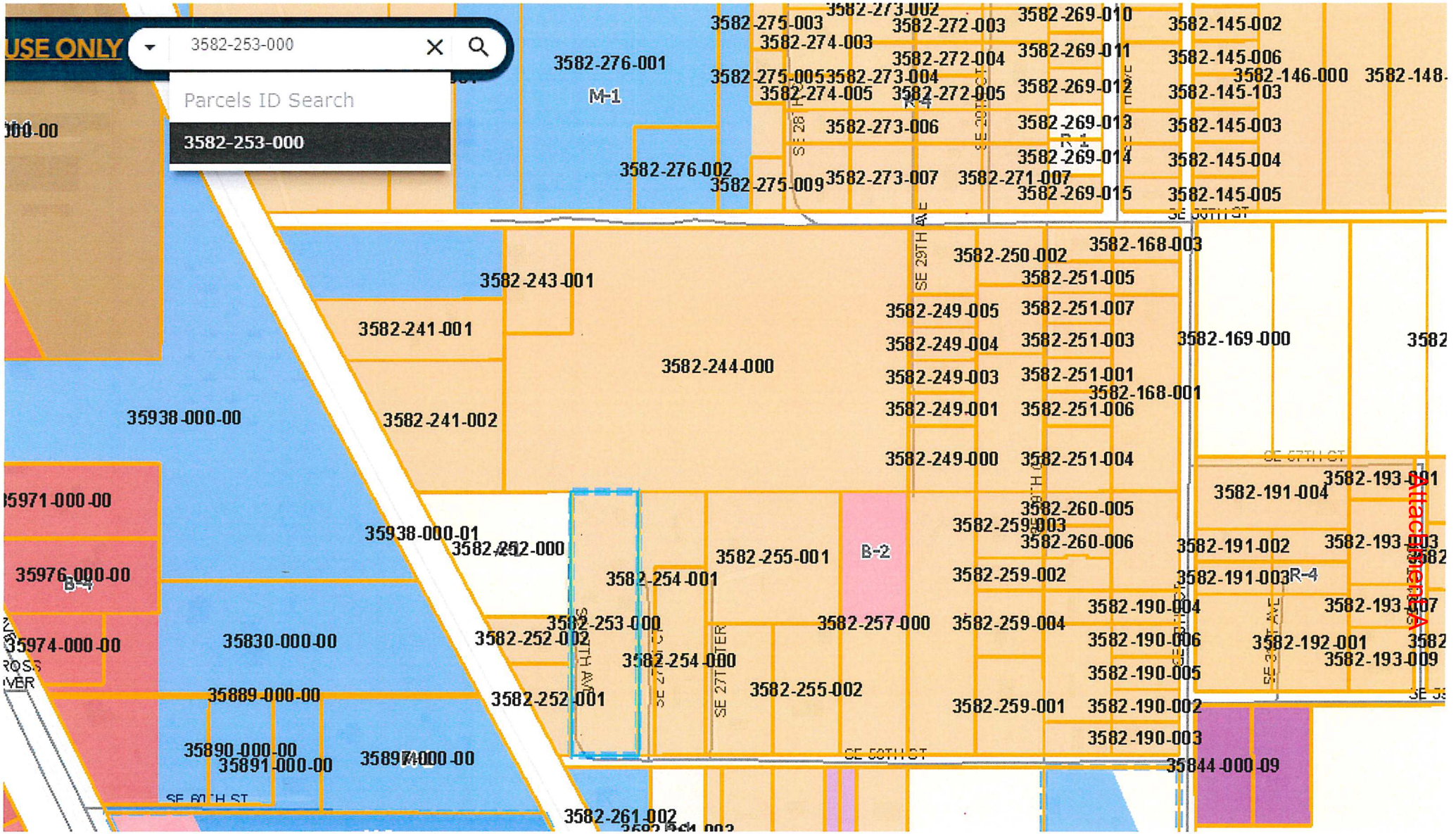
Jimmy H. Cowan, Jr., CFA

Marion County Property Appraiser



Attachment A

A-2


USE ONLY
3582-253-000
Parcels ID Search
3582-253-000
3582-276-001
M-1
3582-275-003
3582-273-002
3582-272-003
3582-269-010
3582-145-002
3582-274-003
3582-272-004
3582-269-011
3582-145-006
3582-146-000
3582-275-005
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3582-272-005
3582-269-012
3582-145-103
3582-273-006
3582-269-013
3582-145-003
3582-269-014
3582-145-004
3582-276-002
3582-275-009
3582-273-007
3582-271-007
3582-269-015
3582-145-005
SE 30TH ST
SE 29TH AVE
3582-168-003
3582-250-002
3582-243-001
3582-251-005
3582-249-005
3582-251-007
3582-241-001
3582-249-004
3582-251-003
3582-169-000
3582-244-000
3582-249-003
3582-251-001
3582-168-001
35938-000-00
3582-241-002
3582-249-001
3582-251-006
3582-249-000
3582-251-004
SE 57TH ST
3582-193-001
3582-191-004
35971-000-00
3582-260-005
3582-259-003
35938-000-01
3582-260-006
3582-191-002
3582-193-003
3582-255-001
B-2
35976-000-00
3582-254-001
3582-259-002
3582-191-003
R-4
B-4
3582-190-004
3582-193-007
3582-253-000
3582-257-000
3582-259-004
35974-000-00
35830-000-00
3582-252-002
3582-190-006
3582-192-001
3582-193-009
3582-254-000
3582-190-005
35889-000-00
3582-255-002
3582-252-001
3582-259-001
3582-190-002
35890-000-00
3582-190-003
35891-000-00
35844-000-09
SE 58TH ST
SE 80TH ST
3582-261-002
Attachment A

A-3

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM
SITE EVALUATION AND SYSTEM SPECIFICATIONS

PERMIT #. _____

APPLICANT: Joseph Petrolino tbd SE 27th Court AGENT: Owner

LOT: 253 BLOCK: _____ SUBDIVISION: Florida Orange Grove Corp.

PROPERTY ID #: 3582-253-000 [Section/Township/Parcel No. or Tax ID Number]

TO BE COMPLETED BY ENGINEER, HEALTH DEPARTMENT EMPLOYEE,OR OTHER QUALIFIED PERSON. ENGINEERS MUST PROVIDE REGISTRATION NUMBER AND SIGN AND SEAL EACH PAGE OF SUBMITTAL. COMPLETE ALL ITEMS.

PROPERTY SIZE CONFORMS TO SITE PLAN: [x] YES [ ] NO NET USABLE AREA AVAILABLE: 2.51 ACRES
TOTAL ESTIMATED SEWAGE FLOW: 300 GALLONS PER DAY [TABLE I

AUTHORIZED SEWAGE FLOW: 3765 GALLONS PER DAY (1500 GPD/ACRE OR 2500 GPD/ACRE]
UNOBSTRUCTED AREA AVAILABLE: 800 SQFT UNOBSTRUCTED AREA REQUIRED: 563 SQFT

BENCHMARK/REFERENCE POINT LOCATION: Pink tape nailed to base of large oak
ELEVATION OF PROPOSED SYSTEM SITE IS 14 [INCHES [ABOVE/(BELOW)] BENCHMARK/REFERENCE POINT

THE MINIMUM SETBACK WHICH CAN BE MAINTAINED FROM THE PROPOSED SYSTEM TO THE FOLLOWING FEATURES
SURFACE WATER: na FT DITCHES/SWALES: na FT NORMALLY WET? [ ] YES [x] NO
WELLS: PUBLIC: na FT LIMITED USE: 144 FT PRIVATE: 75 FT NON-POTABLE: na FT
BUILDING FOUNDATIONS: 5 FT PROPERTY LINES: 50 FT POTABLE WATER LINES: 10 FT

SITE SUBJECT TO FREQUENT FLOODING: [ ] YES [x] NO 10 YEAR FLOODING? [ ] YES [x] NO
10 YEAR FLOOD ELEVATION FOR SITE: na FT MSL/NGVD SITE ELEVATION: na FT MSL/NGVD

SOIL PROFILE INFORMATION SITE 1

MUNSELL #/COLOR	TEXTURE	DEPTH
10YR 3/2	FS	0 TO 14
10YR 4/3	FS	14 TO 20
10YR 5/4	FS	20 TO 38
10YR 6/4	FS	38 TO 42
10YR 4/4	SL	42 TO 48
10YR 4/4, 5/1	SCL	48 TO 72
Mottles 10YR 5/1	CMN/DST	48 TO 72
		TO
		TO
USDA SOIL SERIES:	Sparr Like	

SOIL PROFILE INFORMATION SITE 2

MUNSELL #/COLOR	TEXTURE	DEPTH
10YR 3/2	FS	0 TO 8
10YR 4/3 mix	FS	8 TO 16
10YR 5/4	FS	16 TO 38
10YR 6/4	FS	38 TO 48
10YR 5/4	LS	48 TO 50
10YR 4/6, 5/1	SCL	50 TO 72
mottles 10YR 5/1	CMN/DST 50-72"	TO
		TO
		TO
USDA SOIL SERIES:	Sparr Like	

72+below for permit building purpose

na

OBSERVED WATER TABLE: INCHES [BELOW] EXISTING GRADE. TYPE:[PERCHED / APPARENT] ESTIMATED WET SEASON WATER TABLE ELEVATION: 48 INCHES [ABOVE / (BELOW)] EXISTING GRADE

48

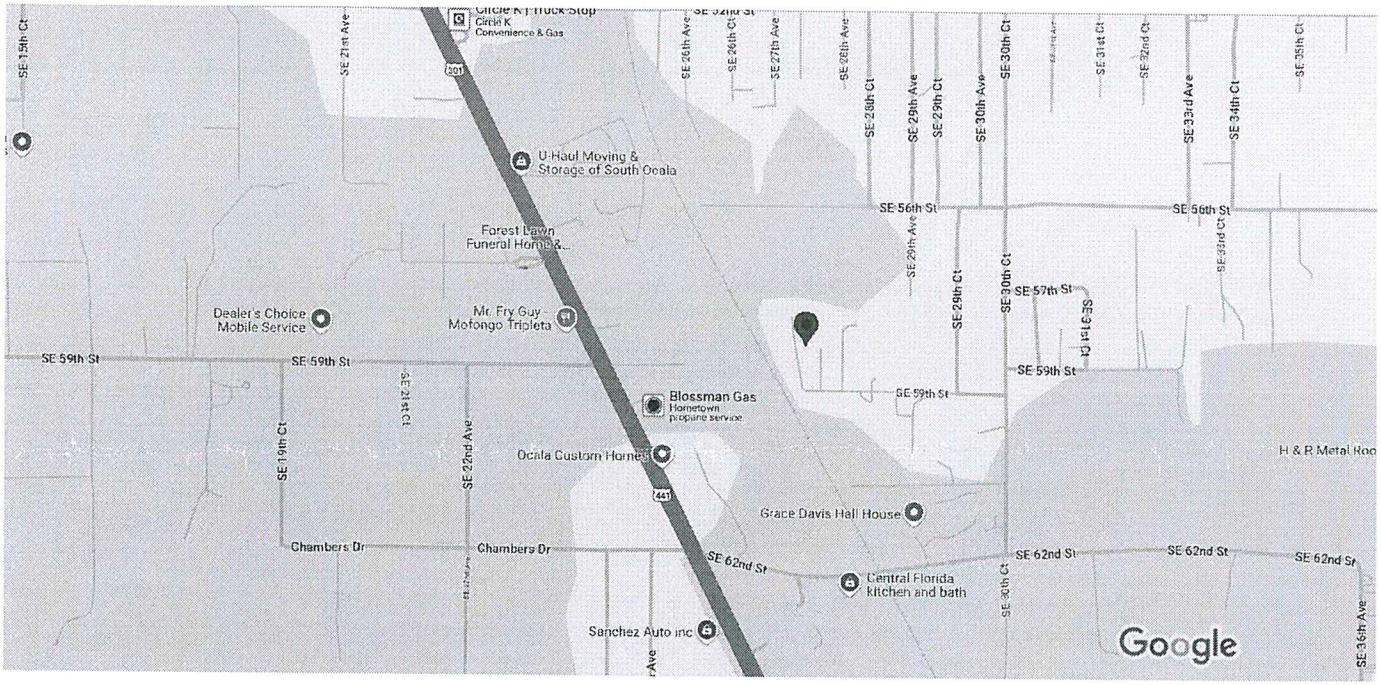
HIGH WATER TABLE VEGETATION: [ ] YES [x] NO WSWT Indicator: [X] YES [ ] NO DEPTH: INCHES

SOIL TEXTURE/LOADING RATE FOR SYSTEM SIZING: Sandy Loam /.8 DEPTH OF EXCAVATION: na INCHES
DRAINFIELD CONFIGURATION: [x] TRENCH [ ] BED [ ] OTHER (SPECIFY)
REMARKS/ADDITIONAL CRITERIA: Bottom of drainfield no deeper than 24" into grade.
(Site 1) 14 inches below RP
(Site 2) 15 inches below RP
Soil eval done just south of Electric box.

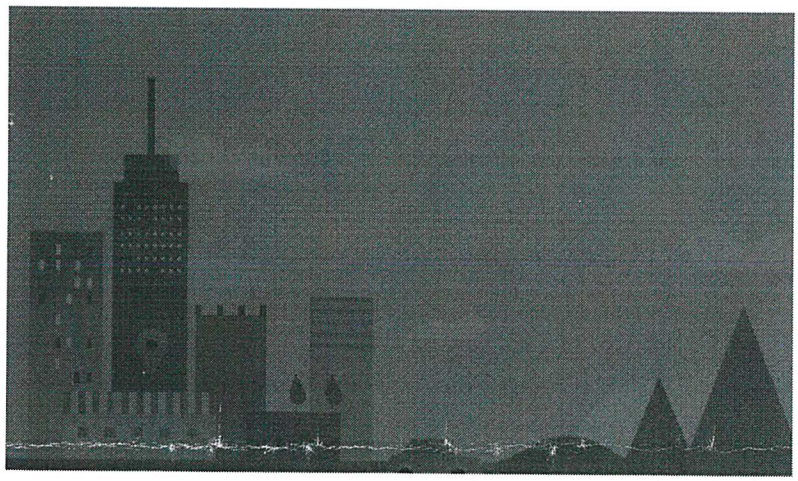
SITE EVALUATED BY: P. Craig Davis, R.S. CEHP 23-1262 DATE: 2-3-2025
352-209-0072

DEP 4015, 06-21-2022 (Obsoletes previous editions which may not be used)
Incorporated: 62-6.004, FAC

Google Maps 5727 SE 27th Ave



Map data ©2025 500 ft



5727 SE 27th Ave

Directions Save Nearby Send to phone Share

5727 SE 27th Ave, Ocala, FL 34480

4WH2+F7 Ocala, Florida

A-5

(2)

Prepared by
Voncille Arban, an employee of
First American Title Insurance Company
216 Northeast First Avenue
Ocala, Florida 34470
(877)833-1756

Return to: Grantee

File No.: 1086-2375826

DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY
DATE: 08/27/2010 03:21:59 PM
FILE #: 2010078748 OR BK 05404 PGS 1104-1106

RECORDING FEES 27.00

DEED DOC TAX 595.00

Return Original Document to:
FIRST AMERICAN TITLE
WARRENVILLE POST CLOSING
27775 Diehl Rd,
Warrenville, IL 60555

WARRANTY DEED

This indenture made on **August 16, 2010** A.D., by

Michael T. Reynolds

whose address is: **P.O. Box 643, Weirsdale, FL 32195**
hereinafter called the "grantor", to

Joseph P. Petrolino, a single man

whose address is: **11126 Harbour Springs Circle, Boca Raton, FL 33428**
hereinafter called the "grantee":
(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Marion** County, **Florida**, to-wit:

Lot 253, FLORIDA ORANGE GROVE CORPORATION, according to the plat thereof recorded in Plat Book B, Page 222, Public Records of Marion County, Florida.

Together with a 1984 SHOW Manufacture Home, ID #SHS2WGA49835647A and #SHS2WGA49835647B, Florida Title #40614440 and #40619879, bearing Real Property Decals #R101336 and #R101335, and a 1981 CAME Manufacture Home, ID #GDWVGA20816558, Florida Title #19711055, bearing Real Property Decal #R419493, and a 1969 AMER Manufacture Home, ID #0925, Florida Title #9334080, bearing Real Property Decal #R094330, and a 1970 FLTW Manufacture Home, ID #5E0T2S12894, Florida Title #4087249, bearing Real Property Decal #R100569, and a 1968 PHWO Manufacture Home, ID #1004, Florida Title #3111896, bearing Real Property Decal #R100480, and a 1971 AMER Manufacture Home, ID #GA072125, Florida Title #19976606, bearing Real Property Decal #R097628, which is an improvement to the land and an immovable fixture which by intention of the parties and upon retirement of the Certificate of Title as provided in 319.2561 Fla. Stat., shall constitute a part of the realty and shall pass with it.

Parcel Identification Number: **3582-253-000**

The land is not the homestead of the Grantor under the laws and constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2010.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Michael T. Reynolds

Signed, sealed and delivered in our presence:

Witness Signature

Print Name: Teri L Armstrong

Witness Signature

Print Name: VOLCILLE B. ARE...

State of **FL**

County of **Marion**

The Foregoing Instrument Was Acknowledged before me on **August 16, 2010**, by **Michael T. Reynolds** who is/are personally known to me or who has/have produced a valid driver's license as identification.

Notary Public

VONCILLE B. AR

(Printed Name)

My Commission expires: _____

VONCILLE B. ARLAN
Notary Public - State of Florida
My Commission Expires Sep 7, 2011
Commission # DD 702187
Bonded Through National Notary Assn.

{Notorial Seal}

Jimmy H. Cowan, Jr., CFA
Marion County Property Appraiser
501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2025 Property Record Card
Real Estate

3582-253-000

GOOGLE Street View

Prime Key: 1940231 | MAP IT+ | Current as of 4/22/2025

Property Information

PETROLINO JOSEPH P
21701 MARIGOT DR
BOCA RATON FL 33428-4825

Taxes / Assessments:
Map ID: 198
Millage: 9001 - UNINCORPORATED

M.S.T.U.
PC: 28
Acres: 2.51

More Situs
Situs: 5727 SE 27TH AVE OCALA

2024 Certified Property Value by Income

Land Just Value	N/A		
Buildings	N/A		
Miscellaneous	N/A		
Total Just Value	$146,214	Impact	($8,518)
Total Assessed Value	$137,696	Ex Codes:	
Exemptions	$0		
Total Taxable	$137,696		
School Taxable	$146,214		

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2024	$72,790	$197,009	$40,017	$146,214	$137,696	$0	$137,696
2023	$75,300	$108,141	$12,609	$126,830	$125,178	$0	$125,178
2022	$75,300	$84,911	$12,625	$118,409	$113,798	$0	$113,798

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
5404/1104	08/2010	07 WARRANTY	4 V-APPRAISERS OPINION	Q	I	$85,000
4295/0682	12/2005	07 WARRANTY	2 V-SALES VERIFICATION	Q	I	$155,000
3346/1075	02/2003	41 CORP	2 V-SALES VERIFICATION	Q	I	$110,000
3267/0221	10/2002	07 WARRANTY	2 V-SALES VERIFICATION	U	I	$70,000
2633/0627	04/1999	07 WARRANTY	2 V-SALES VERIFICATION	Q	I	$80,000
2235/0809	03/1996	05 QUIT CLAIM	7 PORTIONUND INT	U	I	$100
IM94/0688	12/1994	EI E I	0	U	I	$45,908

Property Description

A-9

Attachment A

SEC 03 TWP 16 RGE 22
PLAT BOOK B PAGE 222
FLORIDA ORANGE GROVE CORP
LOT 253

Parent Parcel: 3142-252-000

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
2852		168.0	650.0	R4	2.51	AC						
9994		.0	.0	R4	1.00	UT						

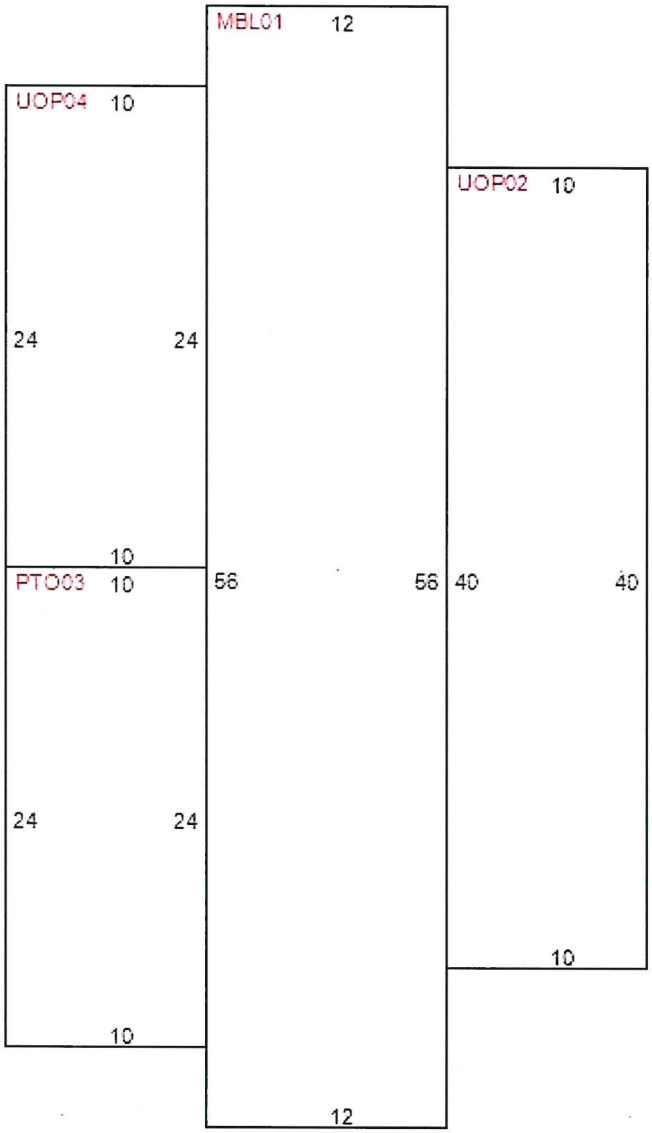
Neighborhood 8562 - FL OR GROVE AGED OUT MHS ONLY
Mkt: 8 70

Traverse

Building 1 of 6
MBL01=L12U56R12D56.U8
UOP02=R10U40L10D40.L12D4
PTO03=L10U24R10D24.U24
UOP04=L10U24R10D24.

A-10

Attachment A



Building Characteristics

Improvement	MH - MOBILE - MOBILE HOME RESID
Effective Age	9 - 40-99 YRS
Condition	0
Quality Grade	300 - LOW
Inspected on	8/21/2023 by 222

Year Built 1969
Physical Deterioration 0%
Obsolescence: Functional 0%
Obsolescence: Locational 0%
Architecture 2 - MBL HOME
Base Perimeter 136

Type ID	Exterior Walls	Stories	Year Built	Finished Attic	Bsmt Area	Bsmt Finish	Ground Floor Area	Total Flr Area
MBL 0120	- MH ALUM SIDING	1.00	1969	N	0 %	0 %	672	672
UOP 0201	- NO EXTERIOR	1.00	1984	N	0 %	0 %	400	400
PTO 0301	- NO EXTERIOR	1.00	1984	N	0 %	0 %	240	240
UOP 0401	- NO EXTERIOR	1.00	1984	N	0 %	0 %	240	240

Section: 1

Roof Style: 02 FLAT WOOD STR
Roof Cover: 17 KOOL SEAL/MTL
Heat Meth 1: 22 DUCTED FHA
Heat Meth 2: 00
Foundation: 3 PIER
A/C: N

Floor Finish: 24 CARPET
Wall Finish: 12 PLYWD PANELING
Heat Fuel 1: 10 ELECTRIC
Heat Fuel 2: 00
Fireplaces: 0

Bedrooms: 2
4 Fixture Baths: 0
3 Fixture Baths: 1
2 Fixture Baths: 1
Extra Fixtures: 2

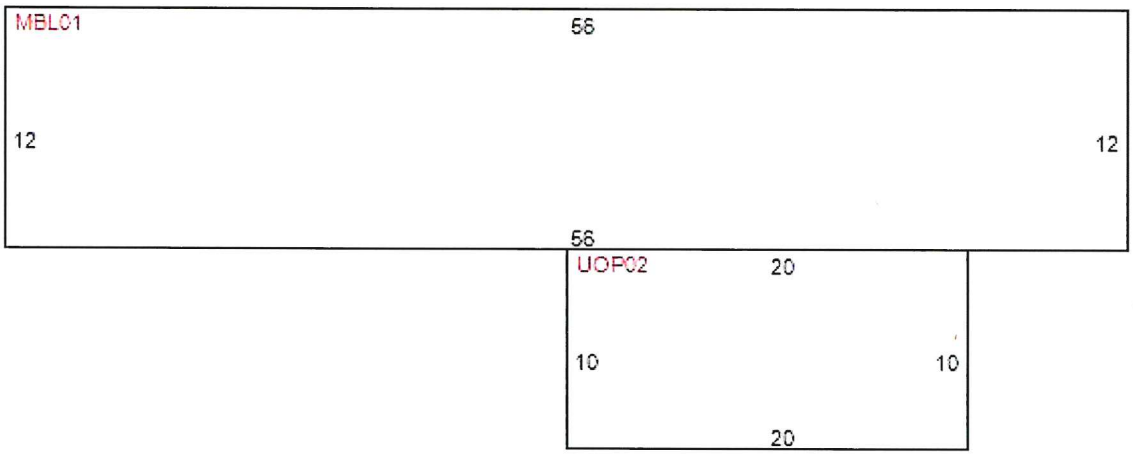
Blt-In Kitchen: Y
Dishwasher: N
Garbage Disposal: N
Garbage Compactor: N
Intercom: N
Vacuum: N

A-11

Attachment A

Traverse

Building 2 of 6
MBL01=L56U12R56D12.L8
UOP02=L20D10R20U10.



Building Characteristics

Improvement	MH - MOBILE - MOBILE HOME RESID
Effective Age	9 - 40-99 YRS
Condition	0
Quality Grade	300 - LOW
Inspected on	8/21/2023 by 222

Year Built 1970
Physical Deterioration 0%
Obsolescence: Functional 0%
Obsolescence: Locational 0%
Architecture 2 - MBL HOME
Base Perimeter 136

Type ID	Exterior Walls	Stories	Year Built	Finished Attic	Bsmt Area	Bsmt Finish	Ground Floor Area	Total Flr Area
MBL	0121 - MH VINYL SIDING	1.00	1970	N	0 %	0 %	672	672
UOP	0201 - NO EXTERIOR	1.00	1984	N	0 %	0 %	200	200

Section: 1

A-12

Attachment A

Roof Style: 02 FLAT WOOD STR
Roof Cover: 15 MH PAN-AVERAGE
Heat Meth 1: 22 DUCTED FHA
Heat Meth 2: 00
Foundation: 3 PIER
A/C: N

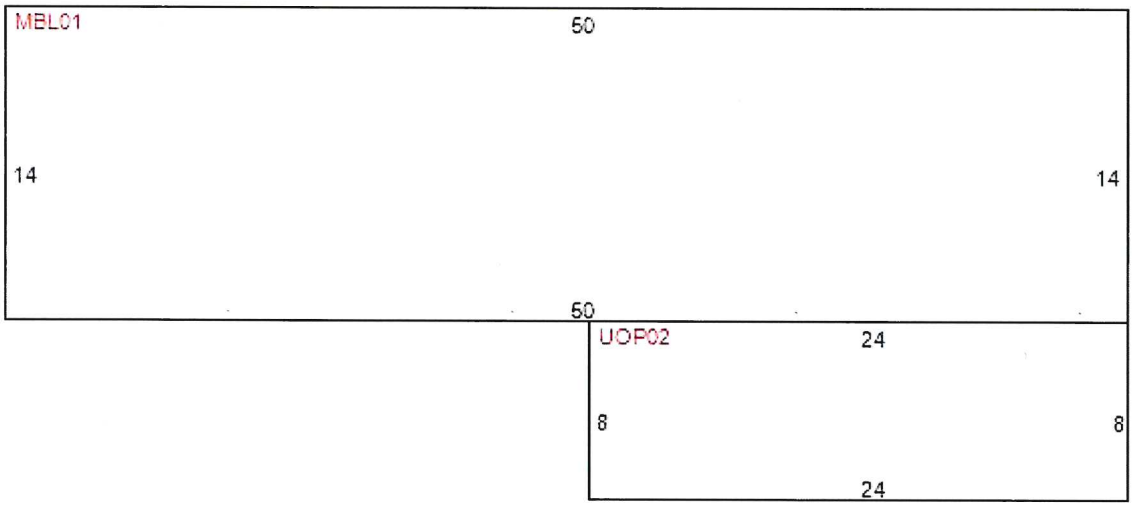
Floor Finish: 42 CERAMIC/PORCELAIN TILE
Wall Finish: 18 DRYWALL-PAPER
Heat Fuel 1: 10 ELECTRIC
Heat Fuel 2: 00
Fireplaces: 0

Bedrooms: 2
4 Fixture Baths: 0
3 Fixture Baths: 1
2 Fixture Baths: 1
Extra Fixtures: 2

Blt-In Kitchen: Y
Dishwasher: N
Garbage Disposal: N
Garbage Compactor: N
Intercom: N
Vacuum: N

Traverse

Building 3 of 6
MBL01=L50U14R50D14.
UOP02=L24D8R24U8.



Building Characteristics

Improvement	MH - MOBILE - MOBILE HOME RESID
Effective Age	9 - 40-99 YRS
Condition	0

Year Built 1981
Physical Deterioration 0%
Obsolescence: Functional 0%
Obsolescence: Locational 0%

A-13

Attachment A

Quality Grade 300 - LOW
Inspected on 8/21/2023 by 222

Architecture 2 - MBL HOME
Base Perimeter 128

Type ID	Exterior Walls	Stories	Year Built	Finished Attic	Bsmt Area	Bsmt Finish	Ground Floor Area	Total Flr Area
MBL	0120 - MH ALUM SIDING	1.00	1984	N	0 %	0 %	700	700
UOP	0201 - NO EXTERIOR	1.00	1984	N	0 %	0 %	192	192

Section: 1

Roof Style: 02 FLAT WOOD STR
Roof Cover: 15 MH PAN-AVERAGE
Heat Meth 1: 22 DUCTED FHA
Heat Meth 2: 00
Foundation: 3 PIER
A/C: Y

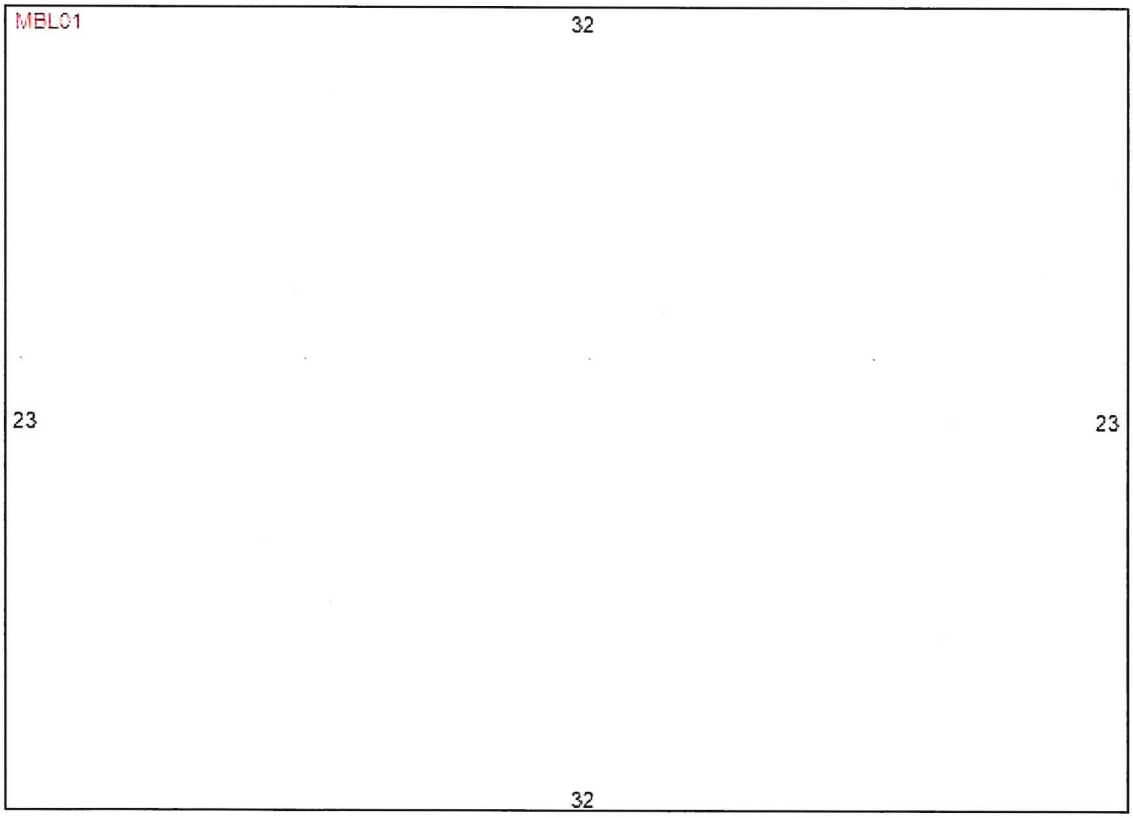
Floor Finish: 24 CARPET
Wall Finish: 12 PLYWD PANELING
Heat Fuel 1: 10 ELECTRIC
Heat Fuel 2: 00
Fireplaces: 0

Bedrooms: 2
4 Fixture Baths: 0
3 Fixture Baths: 1
2 Fixture Baths: 0
Extra Fixtures: 2

Blt-In Kitchen: Y
Dishwasher: N
Garbage Disposal: N
Garbage Compactor: N
Intercom: N
Vacuum: N

Traverse

Building 4 of 6
MBL01=L32U23R32D23.



Building Characteristics

A-14

Attachment A

Improvement	MH - MOBILE - MOBILE HOME RESID
Effective Age	9 - 40-99 YRS
Condition	0
Quality Grade	300 - LOW
Inspected on	8/21/2023 by 222

Year Built 1980
Physical Deterioration 0%
Obsolescence: Functional 0%
Obsolescence: Locational 0%
Architecture 2 - MBL HOME
Base Perimeter 110

Type ID	Exterior Walls	Stories	Year Built	Finished Attic	Bsmt Area	Bsmt Finish	Ground Floor Area	Total Flr Area
MBL 0120	MH ALUM SIDING	1.00	1971	N	0 %	0 %	736	736

Section: 1

Roof Style: 02 FLAT WOOD STR
Roof Cover: 15 MH PAN-AVERAGE
Heat Meth 1: 22 DUCTED FHA
Heat Meth 2: 00
Foundation: 3 PIER
A/C: Y

Floor Finish: 24 CARPET
Wall Finish: 12 PLYWD PANELING
Heat Fuel 1: 06 GAS
Heat Fuel 2: 00
Fireplaces: 0

Bedrooms: 2
4 Fixture Baths: 0
3 Fixture Baths: 1
2 Fixture Baths: 1
Extra Fixtures: 2

Blt-In Kitchen: Y
Dishwasher: N
Garbage Disposal: N
Garbage Compactor: N
Intercom: N
Vacuum: N

Traverse

Building 5 of 6
MBL01=L58U12R58D12.L11
UOP02=D10L23U10R23.U12
UOP03=L36U4R6U6R30D10.

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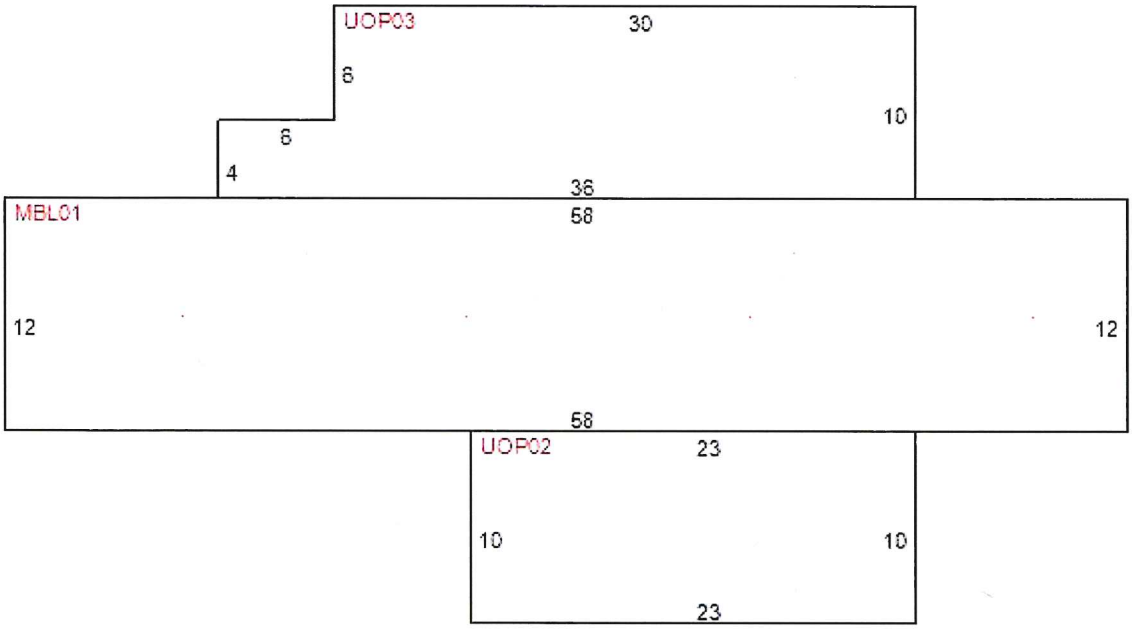
Attachment A



Building Characteristics

Improvement	MH - MOBILE - MOBILE HOME RESID
Effective Age	9 - 40-99 YRS
Condition	0
Quality Grade	300 - LOW
Inspected on	8/21/2023 by 222

Year Built 1968
Physical Deterioration 0%
Obsolescence: Functional 0%
Obsolescence: Locational 0%
Architecture 2 - MBL HOME
Base Perimeter 140

Type ID	Exterior Walls	Stories	Year Built	Finished Attic	Bsmt Area	Bsmt Finish	Ground Floor Area	Total Flr Area
MBL 0120	MH ALUM SIDING	1.00	1968	N	0 %	0 %	696	696
UOP 0201	NO EXTERIOR	1.00	1984	N	0 %	0 %	230	230
UOP 0301	NO EXTERIOR	1.00	1984	N	0 %	0 %	324	324

Section: 1

Roof Style: 02 FLAT WOOD STR
Roof Cover: 16 GALVANIZED MTL
Heat Meth 1: 22 DUCTED FHA
Heat Meth 2: 00
Foundation: 3 PIER
A/C: Y

Floor Finish: 24 CARPET
Wall Finish: 12 PLYWD PANELING
Heat Fuel 1: 06 GAS
Heat Fuel 2: 00
Fireplaces: 0

Bedrooms: 2
4 Fixture Baths: 0
3 Fixture Baths: 1
2 Fixture Baths: 1
Extra Fixtures: 2

Blt-In Kitchen: Y
Dishwasher: N
Garbage Disposal: N
Garbage Compactor: N
Intercom: N
Vacuum: N

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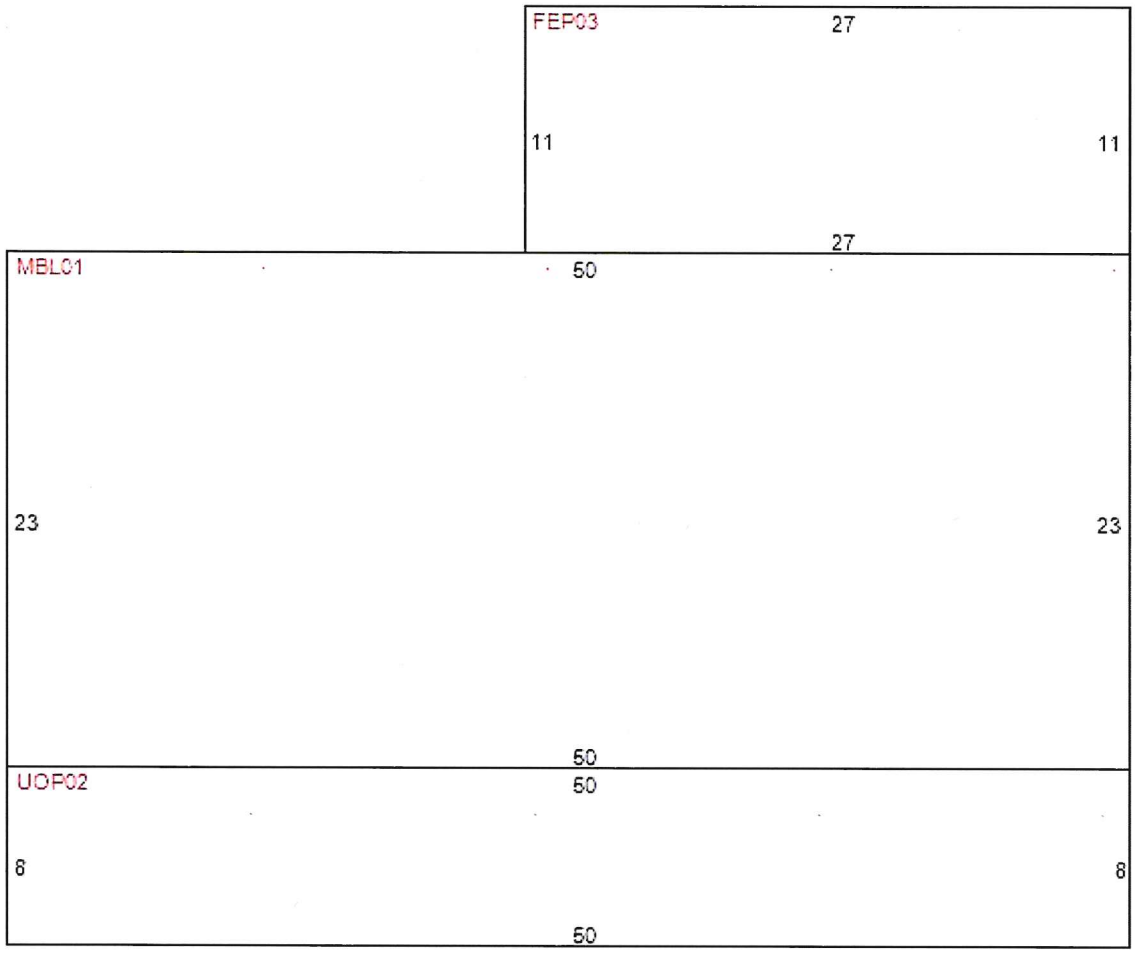
Attachment A

Traverse

Building 6 of 6

MBL01=L50U23R50D23.
UOP02=L50D8R50U8.U23
FEP03=U11L27D11R27.



Building Characteristics

Improvement	MH - MOBILE - MOBILE HOME RESID
Effective Age	9 - 40-99 YRS
Condition	4
Quality Grade	400 - FAIR
Inspected on	8/21/2023 by 222

Year Built 1984
Physical Deterioration 0%
Obsolescence: Functional 0%
Obsolescence: Locational 0%
Architecture 2 - MBL HOME
Base Perimeter 146

Type ID	Exterior Walls	Stories	Year Built	Finished Attic	Bsmt Area	Bsmt Finish	Ground Floor Area	Total Flr Area
MBL	0128 - SF ALUM SIDING	1.00	1984	N	0 %	0 %	1,150	1,150
UOP	0201 - NO EXTERIOR	1.00	1984	N	0 %	0 %	400	400
FEP	0328 - SF ALUM SIDING	1.00	1984	N	0 %	0 %	297	297

Section: 1

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Attachment A

Roof Style: 10 GABLE
Roof Cover: 08 FBRGLASS SHNGL
Heat Meth 1: 22 DUCTED FHA
Heat Meth 2: 00
Foundation: 3 PIER
A/C: Y

Floor Finish: 24 CARPET
Wall Finish: 12 PLYWD PANELING
Heat Fuel 1: 10 ELECTRIC
Heat Fuel 2: 00
Fireplaces: 0

Bedrooms: 3
4 Fixture Baths: 0
3 Fixture Baths: 2
2 Fixture Baths: 0
Extra Fixtures: 2

Blt-In Kitchen: Y
Dishwasher: N
Garbage Disposal: N
Garbage Compactor: N
Intercom: N
Vacuum: N

Miscellaneous Improvements

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width
256 WELL 1-5 BTH	1.00	UT	99	1979	4	0.0	0.0
190 SEPTIC 1-5 BTH	1.00	UT	99	1979	2	0.0	0.0
190 SEPTIC 1-5 BTH	1.00	UT	99	1979	2	0.0	0.0
190 SEPTIC 1-5 BTH	1.00	UT	99	1979	1	0.0	0.0
190 SEPTIC 1-5 BTH	1.00	UT	99	1979	1	0.0	0.0
190 SEPTIC 1-5 BTH	1.00	UT	99	1979	1	0.0	0.0
190 SEPTIC 1-5 BTH	1.00	UT	99	1979	1	0.0	0.0
UDU UTILITY-UNFINS	288.00	SF	40	1979	1	24.0	12.0
138 MOBILE HOME PK	6.00	UT	30	1998	1	0.0	0.0
UDU UTILITY-UNFINS	64.00	SF	40	1998	1	8.0	8.0

Appraiser Notes

JPP SILVER SPRINGS MHP
FKA: SOUTHEAST SIDE MHP
LICENSED FOR 6 LODGE SPACES
5831 SE 27TH CT
MAKE=AMER #1
VIN =0925
EXP =RP-RO94330
TITLE=9334080
5735 SE 27TH AVE
MAKE=FLEETWOOD #2
VIN =5E0T2S12894
EXP =RP-R100569
TITLE=4087249
5861 SE 27TH CT
MAKE=GUERDON (CAME) #3
VIN =GDWVGA20816558
TAG =RP-R419493
TITLE=19711055
5731 SE 27TH AVE
MAKE= #4
VIN =
EXP =
TITLE=
5727 SE 27TH AVE
MAKE=PARKWOOD #5
VIN =1004
TAG =RP-R100480
TITLE=3111896
5822 SE 27TH CT
MAKE=GUERDON (SHOW) #6
VIN =SHS2WGA49835647A
VIN =SHS2WGA49835647B
EXP =RP-R101335
EXP =RP-R101336
TITLE=40614440
TITLE=40619879

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Attachment A

Planning and Building

** Permit Search **

Permit Number	Date Issued	Date Completed	Description
2018052127	5/30/2018	6/5/2018	REPLACE MH PANEL ON POLE 200 AMP
2014030991	3/1/2014	4/2/2014	RECONNECT
0101237	10/1/1999	12/1/1999	RECONNECT
MA93649	5/1/1995	-	MHAL
MC04412	10/1/1985	1/1/1986	DCK (FSP)

Sign Posting.

Looking west on SE 59th St.

Driveway to property (SE 27th Ave.).

Looking west at end of SE 59th St. to CSX railroad tracks.

Photos of mobile homes on-site.

MARION COUNTY ZONING COMMISSION
MEETING MINUTES
JUNE 29, 1998

A regular meeting of the Marion County Zoning Commission was held on Monday, June 29, 1998 at 5:30 p.m. in the Board of County Commissioners' auditorium at 601 SE 25th Avenue, Ocala, Florida.

The following members were present: Clay Albright, Chairman; Branard Grant; Brian Mangram; Roxanne Mastrantonio; Howard Rohrbacher; Ray Fowler; and Alternate Member Tim Lafferty. Karl Heieck had an excused absence. Staff members present were: Jeff Fowler, Assistant County Attorney; Michael May, Zoning/Development Review Director; Bill Cobb, Zoning Site Planner; Jimmy Massey, Principle Planner; Chris Rison, Senior Planner; and Carol Pacheco, Secretary.

Mr. Albright called the meeting to order at 5:32 p.m. Mr. May read the Proof of Publication and Affidavit of Mailing and Posting of Notice. He advised that the meeting was properly advertized. 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/Development Review Department files for record purposes.

Mr. Albright led a moment of silent prayer and the Pledge of Allegiance. The secretary called the roll. Mr. Albright explained the procedure of the meeting to the audience. The actions of the Zoning Commission are advisory to the Board of County Commissioners which will meet on July 21, 1998 at 2:00 p.m.

Mr. Albright opened the public hearing on the Consent Agenda and explained the procedure to the audience. Mr. May announced the items recommended for the Consent Agenda. He asked if there was anyone in the audience who wished to speak in opposition to any of the items. Mr. Albright pulled Item No. 980710Z Nancy Steinmetz, from the Consent Agenda. Mr. Albright closed the public hearing on the Consent Agenda.

Motion was made by Mr. Rohrbacher, seconded by Mr. Mangram to recommend approval of the following five items on the Zoning Commission Consent Agenda because they were recommended for approval by the Planning Department, they had no written opposition within 300 feet, and there was no opposition in attendance at the Zoning Commission meeting:

1.	980702Z	Albert & Gary Behn	R-1 to R-4
2.	980703Z	Ricky & Karen Watson Frank & Frances Dietz	R-1 & B-2 to R-4
3.	980704Z	James H. Hunt	R-3 to RAC
4.	980705SU	Wilfred & Elizabeth Fredette	Special Use Permit in A-1
5.	980707Z	John Romano	R-1 to R-4

Motion carried by a vote of 7-0.

1. 980701Z Robert Corte was present to represent Kathryn Stone to request a Zoning Change from R-4 (Residential Mixed Use) to P-MH (Mobile Home Park) for the intended use of a mobile home park and any other use permitted in a P-MH zone.

Mr. Rison read the staff recommendation. Mr. May announced there was 11% written opposition within 300 feet, 2 of 17 property owners notified were opposed.

Mr. Corte explained that the State of Florida has changed the number of units that make a mobile home park. The Zoning Change will bring the mobile homes into compliance with state requirements. He presently has six units and could have a maximum of nine units with the Zoning Change. Mr. May explained that this is a non-conforming, grandfathered use. Mr. Corte will have to remove a unit or comply with the state and county by getting properly zoned.

Renee Monk, Tracy Barfield, Larry Raines, Loma Lynch, Joyce Carper, and Leslie Lynch spoke in opposition. Their reasons for opposition included: opposed to the number of mobile homes that would be allowed, will lose neighborhood unity with the turnover of people in a mobile home park, wear and tear on the dirt road, road becomes a lake during heavy rain, and they don't need additional mobile homes in this area.

Motion was made by Mrs. Mastrantonio, seconded by Mr. Rohrbacher, to disagree with staff findings and recommendation, and recommend denial of a Zoning Change from R-4 to P-MH for the intended use of a mobile home park and any other use permitted in a P-MH zone, based on the following findings of fact:

1. Is not compatible with the surrounding land uses.
2. Will adversely affect the public interest.

Motion to deny carried by a vote of 6-1 with Mr. Grant voting no.

2. 980706Z Sandy Durrence, attorney, was present to represent Forest and Ethel Ward to request a Zoning Change from R-1 (Single Family Dwelling) to R-4 (Residential Mixed Use) for the intended use of a manufactured home, and any other use permitted in an R-4 zone.

Mr. Rison read the staff recommendation. Mr. May announced there was 11% written opposition within 300 feet, 3 of 26 property owners notified were opposed.

Pat Opitz spoke in opposition. She said a mobile home would be a detriment to the site built homes in this area. She explained that she had appeared at previous public hearings in past years trying to prevent mobile homes from being allowed in this R-1 area. Tony Opitz said the mobile homes in this area were put in before or during the no zoning period in Marion County. James Kraemer said he does not want a mobile home to be placed in

the field across from his house. The approval of one mobile home will lead to the approval of others.

Ms. Durrence said that mobile homes are dotted through out this community. Her clients bought the property because they saw many mobile homes in the area and thought that they would be allowed to have one too. After they bought the property, they found out that the property was zoned R-1 and that they could not have a mobile home.

Motion was made by Mr. Rohrbacher, seconded by Mrs. Mastrantonio, to disagree with staff findings and recommendation, and recommend denial of a Zoning Change from R-1 to R-4 for the intended use of a manufactured home and any other use permitted in an R-4 zone, based on the following findings of fact:

1. Is not compatible with surrounding land uses.
2. Will adversely affect the public interest.

Motion to deny carried by a vote of 6-1 with Mr. Fowler voting no.

3. 980708Z Mrs. Mastrantonio declared a conflict of interest and left the platform. Lori Busch was present to request a Zoning Change from M-1 (Light Industrial) to M-2 (Heavy Industrial) for the intended use of a truck dealership and any other use permitted in an M-2 zone.

Mr. Rison read the staff recommendation. Mr. May announced there was no written opposition within 300 feet, 43 property owners were notified.

Mrs. Busch said that when the Land Development Code was adopted M-1 uses were severely limited. She said the proposed uses are truck sales, leasing and repair, distribution and warehousing. She distributed a hand-out and Mr. Rison passed out photographs to the Zoning Commission.

Mr. Mangram said he was concerned about granting an M-2 zoning classification in this area since the zoning stays with the land if it is sold, and is the most intense zoning classification the county has.

Motion was made by Mr. Fowler, seconded by Mr. Rohrbacher, to agree with staff findings and recommendation, and recommend denial of a Zoning Change from M-1 to M-2 for the intended use of a truck dealership and any other use permitted in an M-2 zone. Motion carried by a vote of 6-0. Mrs. Mastrantonio returned to the platform.

4. 980710Z Deborah Martohue, attorney, was present to represent Tom Grizzard, agent for Nancy Steinmetz, to request a Zoning Change from A-1 (General Agriculture) to R-E (Residential Estate) for the intended use of obtaining a Special Use Permit for a real estate

office, and any other use permitted in an R-E zone.

Mr. Rison read the staff recommendation. Mr. May announced there was no written opposition within 300 feet, nine property owners were notified. He read a letter dated June 29, 1998 from L. Hall Robertson, Jr., President of Stonecrest Management, Inc. regarding access to the parcel in question.

Jo Alice Hagle presented a petition with 39 names in opposition. She was opposed due to safety concerns such as location of the property on a decline of a hill, site visibility, and no turning lane. Assistant County Attorney Jeff Fowler said these concerns were not applicable to the Zoning Change but should be brought up during consideration of the Special Use Permit.

Motion was made by Mr. Fowler, seconded by Mr. Lafferty, to agree with staff findings and recommendation, and recommend approval of a Zoning Change from A-1 to R-E for the intended use of obtaining a Special Use Permit for a real estate office and any other use permitted in an R-E zone. Motion carried by a vote of 7-0.

Motion was made by Mr. Rohrbacher, seconded by Mr. Mangram, to add this item to Consent Agenda for the BCC meeting on July 21, 1998. Motion carried by a vote of 7-0.

5. 980711SU Deborah Martohue, attorney, was present to represent Tom Grizzard, agent for Nancy Steinmetz, to request a Special Use Permit in an R-E zone for the purpose of a real estate office.

Mr. Rison read the staff recommendation and modified Conditions 4 and 5. Mr. May announced there was 33% written opposition from property owners within 300 feet, 3 of 9 property owners were opposed. Mr. May reread the letter from Stonecrest Management, Inc. regarding access to the parcel being rezoned.

There was a discussion on the possibility of access through Stonecrest and a curb cut on SE 104th terrace.

Jo Alice Hagle discussed the safety concerns and the danger of turning off US 441.

Motion was made by Mr. Rohrbacher, seconded by Mr. Mangram, to agree with staff findings and recommendation with modifications in Conditions 4 and 5, and recommend approval of a Special Use Permit for the purpose of a real estate office in an R-E zone. Motion carried by a vote of 6-1 with Mr. Albright voting no due to the generation of traffic at this location.

The Zoning Commission reviewed the minutes of the May 27, 1998 meeting. They were unanimously approved. Mr. Rohrbacher announced that this was his last meeting with the Zoning Commission since he will be working in Pensecola.

Mr. Albright adjourned the meeting at 7:25 p.m.

Signed:

CLAY ALBRIGHT, CHAIRMAN
MARION COUNTY ZONING COMMISSION

Attest:

Carol J. Pacheco

CAROL J. PACHECO, SECRETARY

Attachment C

Official Minutes of MARION COUNTY BOARD OF COUNTY COMMISSIONERS

July 21, 1998

The Marion County Board of County Commissioners met in regular session in Commission chambers at 9:04 a.m. on Tuesday, July 21, 1998 at the Marion County Governmental Complex located in Ocala, Florida.

The meeting opened with invocation by Commissioner Townley, and the Pledge of Allegiance to the Flag of Our Country.

Upon roll call the following members were present: Chairman Randy Harris, District 4; Vice-Chairman Parnell Townley, District 3; Commissioner Larry Cretul, District 2; and Commissioner Steve F. Henning, District 5. Commissioner Judy D. Johnson, District 1, was attending the National Association of Counties meeting. Also present were Clerk David R. Ellspermann, Deputy Clerks Madeline Williamson and Miriam Pauley, County Administrator Jim Lowry, Assistant County Attorney Jeff Fowler, a representative of the Sheriff's Department, and members of the news media.

County Employees - The Board welcomed several new County employees who were observing the meeting.

Minutes - Upon motion of Commissioner Cretul, seconded by Commissioner Townley, the Board adopted meeting minutes of June 23, 24 (two sets), 25, 30, and July 1, 1998.

Budgets/Resolutions - Upon motion of Commissioner Henning, seconded by Commissioner Townley, the Board adopted the following Budget Amendment Resolutions:

1. 98-R-162 transferring $50,000 within the General Fund for Fleet Management Department.
2. 98-R-163 transferring $700 within the General Fund for Veterans Service Office.
3. 98-R-164 transferring $2,650 within the General Fund for Facilities Management.
4. 98-R-165 transferring $5,000 within the Fine & Forfeiture Fund for the Clerk of County Court. Resolutions 162 through 165 entitled: A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS IN AND FOR MARION COUNTY, FLORIDA TO AMEND THE PRESENT FISCAL YEAR 1997-98 BUDGET.
5. 98-LE-6 transferring $7,258 within the MSTU for Law Enforcement, Sheriff - Patrol & CID Department, and entitled: A RESOLUTION OF THE DISTRICT BOARD OF THE MSTU FOR LAW ENFORCEMENT OF MARION COUNTY, FLORIDA TO AMEND THE PRESENT FISCAL YEAR 1997-98 BUDGET.
6. 98-RLE-8 transferring $990 within the Rainbow Lakes Estates MSD, Recreation Department, and entitled: A RESOLUTION OF THE DISTRICT BOARD OF RAINBOW LAKES ESTATES

Attachment C

MSD OF MARION COUNTY, FLORIDA TO AMEND THE PRESENT FISCAL YEAR 1997-98 BUDGET.

7. 98-MO-4 transferring $1,350 within the Marion Oaks MSTU - Marion Oaks Community Resource Facility Department, and entitled: A RESOLUTION OF THE DISTRICT BOARD OF THE MARION OAKS MSTU OF MARION COUNTY, FLORIDA TO AMEND THE PRESENT FISCAL YEAR 1997-98 BUDGET.

Budgets/Clerk - Upon motion of Commissioner Henning, seconded by Commissioner Townley, the Board authorized the Chairman to execute Releases of Lien filed by the Public Defender for attorney's fees in State cases against the following defendants: Bontecou, Cook, Dickey, Doty (two), Griffis, Johnson, Labrecque, McCoy, Moody, Murray, Phillips, Platts, Reckner, Roberts, Robson (two), Sequra, Southall, Vandergrift, Wells and Wesley.

Budgets/Clerk - Upon motion of Commissioner Townley, seconded by Commissioner Henning, the Board authorized the Chairman to execute Satisfactions of Judgment forms regarding State cases against the following defendants who have paid the judgments in full: Barner and O'Berry (two).

Contracts & Agreements/Audits - Upon motion of Commissioner Townley, seconded by Commissioner Henning, the Board acknowledged receipt of letter, dated June 29, 1998, from James M. Lane, Partner, Coopers & Lybrand, LLP, advising that the firm combined its business with Price Waterhouse LLP and would be known as PricewaterhouseCoopers LLP.

Commissioners/Property Appraiser - Upon motion of Commissioner Townley, seconded by Commissioner Henning, the following were appointed to the Marion County Value Adjustment Board for 1998: Commissioners Cretul, Townley and Henning.

The Clerk announced that the organizational meeting was scheduled on August 4, 1998.

Drainage/Ordinances - Upon motion of Commissioner Henning, seconded by Commissioner Cretul, the Board confirmed cancellation of public hearing concerning non-ad valorem stormwater service assessment and publication of a legal notice announcing cancellation.

Resolutions/Road Improvements - Upon motion of Commissioner Townley, seconded by Commissioner Henning, the Board adopted Resolutions 98-R-166 and 98-R-167 scheduling public hearings on Wednesday, August 26, 1998 to consider establishing road assessment projects in Winding Waters - Phase II and Winding Waters - First Addition.

Insurance - Upon motion of Commissioner Townley, seconded by Commissioner Cretul, the Board accepted recommendation of Risk Management Director Baker to approve out-of-court settlement in case of Steven and Heidi DeJoy vs. Marion County in the amount of $138,300 to be paid from the liability self insurance fund.

Contracts & Agreements/County Property - The County Administrator presented the following memo from Planning/Property Management Director Ganoe regarding acquisition of the Poppa Jay's, Inc. parcel located contiguous to the Veterans Memorial Park:

Description/Background: On June 2, 1998, the Board directed staff to begin negotiations with Poppa Jay's, Inc., for possible purchase of property adjacent to the Veterans Memorial Park. Based on an appraisal, staff feels the value of the parcel is approximately $95,000. After several attempts to negotiate an acceptable purchase price, as a final attempt, a proposed Agreement for Sale and Purchase in the amount of $95,000 was presented to Poppa Jay's, Inc. for consideration. As you can see from the attached copy of that agreement, Poppa Jay's has refused that amount and has amended the agreement to indicate a selling price of $120,000. An amendment to the agreement related to documentary stamps as proposed by Poppa Jay's would not be acceptable as the stamps must be paid by the non-exempt party. The proposed amendment related to the conveyance by Special Warranty Deed would also be a concern.

Budget Impact: None at this time.

Recommended Action:

One of the following:

a. Motion to approve the attached Agreement with appropriate amendments.
or
b. Motion to reject the attached Agreement for Sale and Purchase.

Upon motion of Commissioner Townley, seconded by Commissioner Cretul, the Board accepted the recommendation to reject the Agreement.

Mr. Lowry noted the Poppa Jay's parcel may not be needed if the adjacent store was acquired for the library. Upon motion of Commissioner Townley, seconded by Commissioner Henning, the Board agreed to entertain an offer of $100,000.

Comprehensive Plan/Resolutions - Upon motion of Commissioner Henning, seconded by Commissioner Townley, the Board adopted Resolution 98-R-169 establishing an Evaluation and Appraisal Report Public Participation Process requiring hearings to be held by the Planning Commission and Board.

Contracts & Agreements/Transportation - Upon motion of Commissioner Townley, seconded by Commissioner Henning, the Board accepted recommendation of the Planning Department staff to direct the County Attorney's Office to prepare a transportation impact fee credit agreement with Olympia Development Group, Inc. in the amount of $26,078.83.

Contracts & Agreements/Landfills - Solid Waste Administrator Allen F. Ellison presented information regarding comparative costs associated with solid waste/environmental engineering consultant services. Chairman Harris recommended advertising for requests for proposals. Commissioner Henning stated he supported the competitive bid process. County Administrator Lowry commented on

Attachment C

procedures associated with negotiating a fee with a professional engineer. He noted the cost of services provided by Jones, Edmunds & Associates, Inc., (JEA) the current consultants, were in line with other firms. The Chairman stated he had no objection to the job being done by JEA, but was concerned with continuing contracts with the firm.

David Keough, JEA, commented on the existing agreement and the State law relating to the competitive negotiations act. He stated the firm worked for one-third of the counties in Florida.

After further discussion the Board asked Mr. Ellison for additional information. Mr. Lowry stated he would place the matter on the August 4, 1998 agenda.

Contracts & Agreements/Landfills - Upon motion of Commissioner Henning, seconded by Commissioner Townley, the Board accepted recommendation of the Utility Team to proceed with scope of engineering services by Jones, Edmunds & Associates, Inc. associated with the leachate/waste water pipeline project at a cost of $40,850.70.

Contracts & Agreements/Landfills - Upon motion of Commissioner Townley, seconded by Commissioner Cretul, the Board accepted recommendation of the Solid Waste Administrator to proceed with scope of services submitted by Jones, Edmunds & Associates, Inc. associated with modifications to the leachate recirculation pump station at Baseline Landfill at cost not to exceed $6,265.14 in preparation for the leachate pipeline/sanitary sewerage force main.

Bridges/County Property - At the request of Commissioner Townley the Board deferred action on declaring the Sharpes Ferry Bridge Tender's house property as surplus.

Contracts & Agreements/Subdivisions - Upon motion of Commissioner Cretul, seconded by Commissioner Townley, the Board authorized execution of Developer's Agreement with Southern Multicapital Corporation regarding construction of SW 49th Avenue. The maximum budget impact would be $62,918.40 from the District 4 impact fee revenue.

Drainage/Grants/Road Maintenance - A memo was received from Community Services Director Rusciolelli advising that the County was eligible to apply for a $350,000 Community Development Block Grant (CDBG) for El Nino related disasters which benefit low and moderate income persons. She advised that Angie Brewer and Associates was preparing a grant application for funds to purchase land/homes in Florida Highlands for drainage retention and to construct a main roadway with drainage improvements. She stated the improvements would prevent future flooding and allow emergency vehicles access. Ms. Rusciolelli stated the consultant application fee was $5,000 and could be deducted from Administration funds if the grant was funded. She requested the Board authorize preparation and submission of the CDBG Disaster Grant Application.

Commissioner Henning moved to approve the request; the motion was seconded by Commissioner Cretul and discussion ensued.

Ms. Rusciolelli responded to inquiries regarding the prioritization and selection process, preparation of the application, developing the scope of work and a door-to-door survey to be performed at a later date. Commissioner Henning stated he wanted to confirm that everyone was made aware of the availability of the grant and was given an opportunity to apply. Ms. Rusciolelli stated the application deadline was August 3, 1998. Planning/Property Management Director Ganoe stated that if the County worked on the roads it could be an indication the County was accepting them. The Chairman stated that assuming responsibility for the roads was a major concern.

Commissioner Henning withdrew the motion; which died. Commissioner Henning commented on drainage problems in Simonton Farms. Chairman Harris discussed drainage problems in Boardman. Commissioner Townley stated this was a case where the Board could improve the quality of life and benefit citizens. Ms. Rusciolelli stated the funds could be used exclusively to correct drainage.

Districts - Upon motion of Commissioner Townley, seconded by Commissioner Henning, the Board ratified the Chairman's execution of an order terminating the state of emergency pertaining to discharge of fireworks and outdoor burning due to extensive rain.

Communications/Utilities - The Board requested Mr. Lowry schedule a workshop to discuss cable television regulations.

Airports/Contracts & Agreements/Purchasing - Upon motion of Commissioner Townley, seconded by Commissioner Cretul, the Board authorized the Chairman to execute standard agreement with R.F.M. Construction for installation of above-ground fuel farm at the Dunnellon Airport. It was noted that RFP 98R-68 was awarded to the company on June 23, 1998.

Advisory Committees - The Deputy Clerk presented Proof of Publication of a display advertisement published in the Star Banner newspaper on June 21, 1998 announcing that the Board was accepting applications for vacancies on the following volunteer advisory boards: Board of Adjustment, Lake Tropicana MSTU Advisory Council, Land Development Regulation Commission, License Review Board/ Construction Board of Adjustment and Appeals, Marion Oaks MSTU Advisory Council, Parks & Environmental Lands Acquisition Advisory Committee, Planning Commission, Silver Springs Shores Fire Services Advisory Committee, Zoning Commission, and Silver Springs Shores Special Tax District Advisory Council.

Advisory Committees/Zoning - Upon motion of Commissioner Townley, seconded by Commissioner Henning, the Board appointed Gerald Weinstein to serve the remainder of an unexpired term on the Board of Adjustment as an alternate member.

Advisory Committees/Districts - Upon motion of Commissioner

Attachment C

Henning, seconded by Commissioner Townley, the Board appointed John W. Palmer to serve the remainder of an unexpired term on the Lake Tropicana MSTU Advisory Council.

Advisory Committees/Zoning - Upon motion of Commissioner Henning, seconded by Commissioner Townley, the Board appointed John E. Martin, Terry Thompson and Roger W. Fowler to full member positions on the Land Development Regulation Commission.

Advisory Committees/Licenses & Permits - It was noted that applicants to the License Review Board/Construction Board of Adjustment and Appeals were appointed to other advisory boards earlier in the meeting. Mr. Lowry stated the two vacancies would be re-advertised.

Advisory Committees/Districts - Staff advised that no applications were received for appointment to fill a vacancy on the Marion Oaks MSTU Advisory Council.

Advisory Committees/Parks & Recreation - Upon motion of Commissioner Henning, seconded by Commissioner Townley, the Board appointed Kenneth R. Lowe to fill the remainder of an unexpired term on the Parks & Environmental Lands Acquisition Advisory Committee.

Advisory Committees/Comprehensive Plan - Upon motion of Commissioner Cretul, seconded by Commissioner Henning, the Board re-appointed Harry MacLeod, Jr. to the Planning Commission.

Upon motion of Commissioner Townley, seconded by Commissioner Henning, the Board re-appointed Harold B. Jones to the Planning Commission.

Upon motion of Commissioner Henning, seconded by Commissioner Townley, the Board appointed John E. Martin, Raymond Popejoy as full members and Daniel E. Brooks as an alternate member of the Planning Commission.

Advisory Committees/Districts - It was noted that no applications were received for two vacancies on the Silver Springs Shores Fire Services Advisory Committee.

Advisory Committees/Zoning - Upon motion of Commissioner Cretul, seconded by Commissioner Henning, the Board appointed Tim Lafferty to full member status on the Zoning Commission.

Upon motion of Commissioner Cretul, seconded by Commissioner Henning, the Board re-appointed Roxanne Mastrantonio, and appointed W. Gene Scroggie and S. Wesley Herren as members of the Zoning Commission.

Upon motion of Commissioner Henning, seconded by Commissioner Townley, the Board appointed Kenneth L. Buschman as an alternate member of the Zoning Commission.

Upon motion of Commissioner Cretul, seconded by Commissioner Henning, the Board acted on the Consent Agenda for the County Attorney item 10, A, Development Review Committee items 10, B, 1, 2 and 3, Engineering Department items 10, C, 1, 2 and 3, Community

Services item 10, D, and Purchasing Department items 10, E, 1, 2 and 3, as follows:

Budgets/Road Construction - 10, A - The Board accepted recommendation received from Robert E. Landt, foreclosure attorney, for settlement of Lien No. 45029 from Rita Maes. It was noted the offer was to pay $2,500 in settlement of the assessment lien.

Subdivisions - 10, B, 1 - Accepted recommendations of the Development Review Committee regarding the following waivers of the Land Development Code for Forty-One Sixty Subdivision:

a. Section 8.2.5.a(2)(d) Section and 1/4 Section line roads.
DRC RECOMMENDATION: Recommend the Board grant waiver since there is a road further west to serve as a north/south route.

b. Section 8.2.5(4) Block Perimeter.
DRC RECOMMENDATION: Recommend the Board grant waiver to allow project as designed.

c. 8.2.4.3 Cross Sections.
DRC RECOMMENDATION: Recommend the Board deny waiver since the design does not include Curb & Gutter.

d. 8.2.7. Water Supply System and e. 8.2.8. Sanitary Sewer Facilities.
DRC RECOMMENDATION: Recommend the Board grant waiver since the Circuit Court order allows this usage.

f. 8.2.9.e(3) Stormwater Drainage Design.
DRC RECOMMENDATION: Recommend the Board grant waiver based on unanimous vote of the Committee.

Subdivisions - 10, B, 2 - Accepted recommendation of the Development Review Committee to grant waivers of the Land Development Code requested by Denning's Collision Center of Sections 8.2.9e(6), fencing around a drainage retention area, 8.2.5.a(1)d, sidewalks, 8.2.5a(12)(b), minimum driveway spacing, and 8.2.6.c, parking areas.

Contracts & Agreements/Subdivisions/Utilities - 10, B, 3 - Accepted recommendation of the Development Review Committee to grant waiver of the Utility Manual 3.2.(a)(1) for wastewater improvements to allow temporary use of septic tanks until such time as sewer system was available, with conditions, and to execute the Developer's Agreement for The Village of Ascot Heath.

Contracts & Agreements/Subdivisions - 10, C, 1 - Accepted recommendation of the Engineering Department regarding Turnberry at Spruce Creek Golf & Country Club, as follows:

Recommend the Board accept construction of roads and drainage facilities for Turnberry at Spruce Creek Golf & Country Club Subdivision. Since this is a private road subdivision, the Developer or his designee will be responsible for improvements; therefore, release Developer from obligation under Improvement Agreement dated March 3, 1998. However, the surety bond retained by Marion County as assurance for improvement agreement will be retained by Marion County for other phases of Spruce Creek.

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Project Developer: Del Webb's Spruce Creek Communities, Inc., an Arizona Corporation.

Contracts & Agreements/Subdivisions - 10, C, 2 - Accepted recommendation of the Engineering Department regarding Spyglass Hill at Spruce Creek Golf & Country Club, as follows:

Recommend the Board accept construction of roads and drainage facilities for Spyglass Hill at Spruce Creek Golf & Country Club Subdivision. Since this is a private road subdivision, the Developer or his designee will be responsible for improvements; therefore, release Developer from obligation under Improvement Agreement dated June 2, 1998. However, the surety bond retained by Marion County as assurance for improvement agreement will be retained by Marion County as assurance for other phases of Spruce Creek.
Project Developer: Del Webb's Spruce Creek Communities, Inc., an Arizona Corporation.

Contracts & Agreements/Subdivisions - 10, C, 3 - Accepted recommendation of the Engineering Department regarding Marion Oaks Unit 12 Subdivision, as follows:

Recommend the Board accept construction of roads and drainage facilities for Replat of Tract "D", Marion Oaks Unit 12 Subdivision. Release Developer from further obligation under Improvement Agreement dated December 16, 1997, and authorize Chairman to execute letter to Developer and Bank stating same. Additionally, also authorize Chairman to execute Maintenance Agreement for commencement of Developer's maintenance period. Project Developer: The Deltona Corporation, a Delaware Corporation.

Contracts & Agreements/Grants - 10, D - Accepted recommendation of Community Services Director Evelyn Rusciolelli regarding the local mitigation strategy contract modification with the Department of Community Affairs (DCA), as follows:

Description/Background: The Department of Community Affairs has decided to modify the first deliverable date by extending it from June 30, 1998 to October 31, 1998. DCA has just now been able to process the initial Mitigation Strategy Contracts with counties and realizes that Counties and Cities will need additional time to negotiate subcontracts.

Recommended Action: Board acceptance and approval of Modification #1 of the Local Mitigation Strategy Contract with DCA.

Contracts & Agreements/Road Improvements - 10, E, 1 - Awarded Bid 98B-080 to Art Walker Construction, Inc. regarding the 1997/98 Road Improvement Program in Rainbow Lakes Estates, and authorized execution of the Standard Fixed Price Agreement.

Contracts & Agreements/Southeastern Livestock Pavilion - 10, E, 2, (a) - Approved Change Order No. 4 to Agreement with Beeline Development for additional steel reinforced ballards at each exterior support column regarding the Southeastern Livestock Pavilion arena roof over project. The Change Order increased the contract sum by $7,900.

Contracts & Agreements/Southeastern Livestock Pavilion - 10, E, 2, (b) - Approved Change Order No. 5 to Agreement with Beeline Development for installation of ridge vents to existing arena roof

at Southeastern Livestock Pavilion. The Change Order increased the contract sum by $12,750.

Purchasing - 10, E, 3 - Approved Purchase Orders over $10,000 as listed on schedule dated today.

Comprehensive Plan - Upon motion of Commissioner Townley, seconded by Commissioner Cretul, the Board approved request of the Planning Department and Planning Commission to schedule public workshops regarding the Evaluation and Appraisal Report (EAR) of the Comprehensive Plan on August 24, October 21, and November 18, 1998 at 9:00 a.m.

Ordinances/Transportation - Upon motion of Commissioner Cretul, seconded by Commissioner Henning, the Board approved request of the Planning/Property Management Director to schedule a workshop on September 10, 1998 at 9:00 a.m. to discuss Transportation Impact Fee Ordinance 97-33 as well as related issues.

Comprehensive Plan - Upon motion of Commissioner Cretul, seconded by Commissioner Henning, the Board scheduled a public hearing on September 8, 1998 at 9:00 a.m. to consider the 1998 2nd Cycle Large Scale Comprehensive Plan Amendments for transmittal to the Department of Community Affairs for review. The hearing was requested by Planning/Property Management Director Ganoe.

Licenses & Permits/Zoning - The Board scheduled a workshop requested by Building Department Director Jim McClain to discuss requirements for mobile home under-skirting on September 10, 1998 at 10:00 a.m.

Municipalities - The Board asked the County Administrator to confirm Tuesday, August 11, 1998 to meet in joint session with the Belleview City Commission.

Commissioners/Road Improvements - The Board scheduled ribbon cutting ceremonies in Pinehurst and Pinehurst 1st Addition regarding the road assessment project on August 19, 1998 at 10:00 a.m.

Commissioners/Projects & Programs - The Board deferred action on request of Mary O'Quinn, Board Liaison, State Department of Children & Families for an appointee to the Nominations Qualification Review Committee.

Communications/Projects & Programs - A letter was received from Bonnie M. Young, Atlanta Regional Office, U.S. Department of Commerce, Bureau of the Census, asking whether the Board planned to organize a Complete Count Committee. Assistant Administrator Ed Smith advised that creating the Committee was not necessary and that County staff could handle the work. It was the general consensus of the Board that a Committee was not necessary.

There was a recess at 10:31 a.m.

The meeting reconvened at 10:50 a.m. with all members present, except Commissioner Johnson.

Districts/Ordinances - Deputy Clerk Williamson presented Proof

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of Publication #120662, Notice of Intent to Adopt Ordinance, published in the Star Banner newspaper on July 10, 1998 announcing that the Board would consider amending the code relating to the Boardman Municipal Service Taxing Unit for Street Lighting.

Assistant County Attorney Fowler stated the proposed ordinance would change the definition of a parcel. There being no public comment, upon motion of Commissioner Henning, seconded by Commissioner Cretul, the Board adopted Ordinance 98-24, entitled:

> AN ORDINANCE OF MARION COUNTY, FLORIDA, RELATING TO THE BOARDMAN MUNICIPAL SERVICE TAXING UNIT FOR STREET LIGHTING; AMENDING SUBSECTION 12-494(c) OF THE MARION COUNTY CODE; PROVIDING A DEFINITION OF PARCEL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR INCLUSION IN CODE AND PROVIDING AN EFFECTIVE DATE.

Contracts & Agreements/Resolutions/Subdivisions - The Deputy Clerk presented Proof of Publication of a display advertisement published in the Star Banner newspaper on July 5, 1998 regarding the Oak Run development. The Notice stated the Board would consider a request from Development and Construction Corporation of America (DECCA) for a determination of whether proposed changes to the original Oak Run Development of Regional Impact (DRI) Development Order would constitute a substantial deviation.

Assistant County Attorney MacNamara stated that DECCA's representatives were requesting adoption of a resolution finding that the Oak Run DRI Eleventh Notice of Proposed Change was a non-substantial deviation and amending the DRI Development Order. Commissioner Cretul noted that the Department of Community Affairs had no objection to the changes. The Planning Department submitted a memo recommending approval.

Jack Sullivan, Planner with Carlton-Fields in Tallahassee, agent for DECCA, appeared to review the proposed changes and improvements to SR 200 which were necessary in order to proceed with Phase III. Bruce Day, Withlacoochee Regional Planning Council, stated the agency had no objection to the changes.

There being no opposition, upon motion of Commissioner Cretul, seconded by Commissioner Townley, the Board adopted Resolution 98-R-170, entitled:

> A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE AMENDED DEVELOPMENT ORDER FOR THE OAK RUN DEVELOPMENT OF REGIONAL IMPACT, PROVIDING AN EFFECTIVE DATE.

Budgets/Projects & Programs - Lori Hornby, President of the Ocala/Marion County Chamber of Commerce, appeared to present a pamphlet with a request for $10,000 to purchase additional equipment for the Motion Picture Television Commission of Marion County.

The pamphlet contained a list of Film Commission projects from February 1996 through June 1998 that had a $442,526 economic impact on the County. It also included information on utilization of the

funds: $5,000 for a graphic arts quality computer with scanner, $1,000 for digital camera, $1,300 for software to research potential projects, and $2,700 for Web page development and hosting.

Ms. Hornby advised that $4,000 was budgeted by the City of Ocala and $7,000 of in-kind services by the Chamber. She stated the return on the County's investment would be tremendous.

Commissioner Henning asked whether the County's Information Systems Department could assist. County Administrator Lowry stated it could provide in-kind services. He stated that personal computers were donated to the Chamber of Commerce. Ms. Hornby stated the Chamber would accept money or equipment if it fit their needs. Commissioners Henning and Townley stated no objection to an in-kind contribution. Commissioner Townley stated he did not support a $10,000 allocation.

Upon motion of Commissioner Henning, seconded by Commissioner Cretul, the Board directed staff provide in-kind services requested by the Chamber of Commerce for the Ocala/Marion County Film Commission. Clerk Ellspermann stated the equipment would remain on County inventory.

Drainage - J. Frank Dinardi, SW 80th Street and 475, appeared to discuss an on-going water runoff problem onto his property from the County right of way. He presented photographs showing his property to be under water. Mr. Dinardi stated that both he and the County have expended funds to correct the situation, but they were not successful. He stated he was advised by the County Engineer that a drainage retention area was the only solution.

County Engineer Bob Titterington stated the County needed to purchase two to three acres of a five acre site across the street. Commissioner Cretul stated the whole intersection experienced drainage problems, and noted that 80th Street was a slag road. In response to inquiry by Chairman Harris, Mr. Titterington stated there were approximately twenty similar situations in the County. It was the general consensus of the Board that staff determine the price of the five acre parcel and present a proposal to correct the problem.

Parks & Recreation/Resolutions/Southeastern Livestock Pavilion - Chairman Harris requested the Board amend the resolution establishing fees for County parks and facilities by deleting the requirement that a percentage of revenue from the sale of alcoholic beverages be paid to the County.

Upon motion of Commissioner Cretul, seconded by Commissioner Henning, the Board adopted Resolution 98-R-171 establishing Park fees with new language in Section 1, A, 10, w, as follows:

w. Concession Rights 10% of gross sales
No charge will be derived from the sale of alcoholic beverages.

Landfills - Commissioner Townley asked Allen Ellison, Solid

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Waste Administrator, to submit a recommendation on how to address the problem of charging property owners in gated communities, who do not pay the per parcel assessment and want to dispose of items at the recycling centers.

County Employees/Roads, Miscellaneous - The following members of the CQI (Continuous Quality Improvement) Team known as the Blade Runners appeared: Leader Ken Stoldt, Members Danny Beauchamp, Doug Pearsall, Thomas Riley and Raymond Huff, and Facilitator Marcia Zabor. Mr. Stoldt advised that the group was assigned the task of reducing maintenance cost of roadways by addressing sod on the right of way. He and the other members gave an overview beginning with road contractor and County Road Department complaints, condition of Bermuda sod, information received from Professor Miller of the University of Florida, and the cost of various grasses.

Mr. Stoldt stated the Team recommended using Roadside Bermuda where possible, on a trial basis for one year. The County Administrator stated that Roadside Bermuda would be used, but staff wanted the flexibility to use Bahia sod in sandy areas. The Board had no objection. Mr. Stoldt noted it was easier to maintain Roadside Bermuda sod.

There was a recess at 11:44 a.m.

The meeting reconvened at 2:01 p.m. with all members present, except Commissioner Johnson.

Ordinances/Zoning - Deputy Clerk Pauley presented Proof of Publication #122944, Notice of Intention to Consider Adoption of an Ordinance, published in the Star Banner newspaper on July 12, 1998. The Notice stated the Board would consider adopting an ordinance granting zoning changes and Special Use Permits.

Zoning/Development Review Director Michael May, Site Planner Bill Cobb, Senior Planner Chris Rison, and Planner Jimmy Massey were present.

Chairman Harris announced that both the Planning Department and Zoning Commission recommended approval of petitions 1 through 5, and based on the lack of signatures on the sign-up sheets, there would be no public comment. He announced that petition 6 was withdrawn from the Consent Agenda. The Chairman announced the zoning petition names and numbers 1 through 5, and that they would be considered on the Consent Agenda.

There being no public comment, upon motion of Commissioner Henning, seconded by Commissioner Townley, the Board approved the Consent Agenda, petitions 1 through 5, based on staff findings and recommendations that the proposed uses would not adversely affect the public interest, were consistent with the Comprehensive Plan and were compatible with the surrounding land uses, as follows:

Zoning - 1. (Zoning Commission 980702Z) - The Board approved a petition by Albert Behn and Gary Behn, 608 2nd Street NE, Hampton,

IA, requesting a Zoning Change of the Marion County Land Development Code, Article 5, from R-1 (Single Family Dwelling) to R-4 (Residential Mixed Use) for the intended use of a mobile home, and any other use permitted in an R-4 zone, on Parcel No. 3500-006-062.

Zoning - 2. (Z. C. 980703Z) - The Board approved a petition by Ricky and Karen Watson, 8459 NW 10th Terrace, Ocala, FL, and Frank and Frances Dietz, 8397 NW 13th Court, Ocala, FL, requesting a Zoning Change of the Marion County Land Development Code, Article 5, from R-1 (Single Family Dwelling) and B-2 (Community Business) to R-4 (Residential Mixed Use) for the intended use of manufactured homes, and any other use permitted in an R-4 zone, on Parcel Nos. 1462-005-004, 1462-005-005, 1461-001-016, 1461-005-011, and 1461-010-004.

Zoning - 3. (Z. C. 980704Z) - The Board approved a petition by James Hunt, P. O. Box 24431, St. Simons Island, GA, requesting a Zoning Change of the Marion County Land Development Code, Article 5, from R-3 (Multiple Family Dwelling) to RAC (Rural Activity Center), for the intended use of any uses allowed in an RAC zone, on Parcel No. 5069-412-000.

Zoning - 4. (Z. C. 980705SU) - The Board adopted Resolution 98-R-172 granting a petition by Wilfred and Elizabeth Fredette, 910 East Hwy. 318, Citra, FL, for a Special Use Permit of the Marion County Land Development Code, Section 5.3, for the purpose of an aviary for birds in an A-1 (General Agriculture) zone on Parcel No. 03567-002-02. The Resolution contained the following conditions:

1. The site shall be developed and operated consistent with the submitted conceptual site plan and the conditions as provided with this approval.

2. All aviary birds shall be maintained inside the on-site barn (hereafter aviary barn).

3. The owner/operator of the aviary operation shall reside on-site.

4. All doors and windows for the aviary barn shall be kept closed between the hours of 8:00 p.m. and 8:00 a.m., and during feeding times for the birds.

5. All bird sales shall be wholesale, and no retail sales may occur on-site.

6. Access for the aviary operation shall use the site flag lot access connection to CR 318.

7. The aviary barn shall be locked to control access when the owner/operator is not on-site.

8. The applicant shall provide a paved apron (e.g., concrete or asphalt) at the CR 318 access point, including obtaining any necessary jurisdictional agency permits (e.g., Marion County Driveway/Right-of-Way Permit, Building Permit, etc.).

9. All material (e.g. feed, etc.) and bird shipments and deliveries for the aviary operation shall occur between the hours of 8:00 a.m. and 6:00 p.m.

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10. No exterior lighting provided on-site shall be elevated more than 15' above ground level.

11. A low-level berm shall be provided to ensure that bird droppings/feces removed/washed out of the aviary barn do not flow directly off-site onto adjacent property at any time.

12. The applicant shall obtain and maintain all appropriate jurisdictional agency licenses for the aviary operation (e.g., Florida Game and Fresh Water Fish Commission), and provide a copy of all current operating permits to the Zoning Department.

13. In the event the subject property is ever split or subdivided, this Special Use Permit shall terminate, and all aviary operation birds shall be removed within (30) calendar days of the division/subdivision. Birds maintained as private pets may be maintained on-site consistent with the applicable LDC Sections.

Zoning - 5. (Z. C. 980707Z) - The Board approved a petition by John W. Romano, 10835 SW 38th Drive, Davie, FL, requesting a Zoning Change of the Marion County Land Development Code, Article 5, from R-1 (Single Family Dwelling) to R-4 (Residential Mixed Use) for the intended use of mobile homes, and any other use permitted in an R-4 zone, on Parcel No. 3500-005-065.

Zoning - 6. (Z. C. 980710Z) - The Board considered a petition by Nancy Steinmetz, P. O. Box 217, Lady Lake, FL, requesting a Zoning Change of the Marion County Land Development Code, Article 5, from A-1 (General Agriculture) to RE (Residential Estate) for the intended use of a real estate office, and any use permitted in a RE zone, on Parcel No. 48503-001-01.

Located: US 441 South past SR 42. Site is SE corner of US 441 and East Orbit Road.

PERCENT WRITTEN OPPOSITION WITHIN 300 FEET: 0 OF 9 = 0%

ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Fowler, seconded by Mr. Lafferty, to agree with staff findings and recommendation, and recommend approval of a Zoning Change from A-1 to R-E for the intended use of a real estate office and any other use permitted in an R-E zone. Motion carried by a vote of 7-0.

Senior Planner Rison stated that based on analysis and findings, staff recommended approval of rezoning from A-1 to R-E.

Attorney Deborah Martohue appeared for the petitioner. She stated there was lengthy discussion at the Zoning Commission hearing regarding a Special Use Permit. Ms. Martohue stated the discussion should be limited to the rezoning issue at this time.

Attorney Chester Trow appeared for Jo Hagle, owner of several parcels north of the proposed site to be rezoned R-E and who resided within 300 feet. He pointed out there was no other R-E zones in the area and would be "spot zoning" if approved. Mr. Trow stated the parcel was not large enough for R-E uses. He stated the petitioner was trying to create a business zone in a residential area. Mr. Trow stated customers would create a traffic hazard turning left across SE 104th Terrace, which intersected into Bridle

Trail Estates Subdivision. He submitted excerpts from the recorded deed restrictions which prohibited a manufactured building and advertising signs for the real estate office.

In response to inquiry by Commissioner Cretul, Mr. May advised that the minimum size for R-E zoning was one unit per acre. He stated the subject property was a parcel of record and R-E was the only zoning available. He stated a Special Use Permit would allow use as an office building. Commissioner Henning agreed that a Special Use Permit would create a minimal impact on the neighborhood, but asked why the petitioner wanted to change the A-1 property. He questioned whether staff addressed the traffic issue in the recommendation. Mr. May stated the traffic was not addressed by the Zoning Commission. Commissioner Cretul asked whether there were deed restrictions in the subdivision. Mr. May stated the deed restrictions prohibited manufactured homes.

Charles Vollmar, SE 172nd Lane, President of the Board of Directors of the Property Owners Association, stated the deed restrictions were recorded in the public records and prohibited mobile homes on the parcel. He stated members of the association opposed rezoning.

Henry Bednars, SE 101 Avenue Road, Bridlewood Estates resident, stated he opposed rezoning to R-E due to the existing traffic into the subdivision. He stated a business would create a hazard in the residential area.

Ms. Martohue stated the intent was to develop a commercial use in the area.

In response to inquiry by Commissioner Henning as to the impact on the road if rezoning was approved, Planner Massey advised that staff had reviewed the conceptual plan and there would be traffic accessing from SE 104th Terrace onto 441. He projected the impact would be a minimal due to the proposed use of a real estate sales office.

Commissioner Townley asked whether a pending Comprehensive Plan amendment near this area related to the rezoning. Mr. Massey stated there may be difficulty with the pending amendment due to Department of Community Affairs considering traffic on 441. He stated traffic could exceed the desired level of service.

Ms. Martohue suggested that a condition on the Special Use Permit limit the use to an office, exempting a medical office.

Mr. Trow pointed out that if the request was granted, the R-E parcel could not be used for residential purposes in the future.

Commissioner Townley made a motion, seconded by Commissioner Henning, to approve rezoning from A-1 to R-E based on staff and Zoning Commission findings and recommendation that the proposed use would not adversely affect the public interest, was consistent with the Comprehensive Plan and was compatible with the surrounding land uses.

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Tom Grizzard, West North Boulevard, Leesburg, stated the intent was to put a branch real estate office on the site. He stated that a Comprehensive Plan amendment was not requested due to the extensive time involved with processing an amendment. Ms. Martohue stated that R-E zoning would be more compatible with the Orange Blossom Hills Subdivision and Stonecrest PUD. Commissioner Henning asked whether 1/2 acre was large enough for a sales office. Mr. May stated that it would be close and the Land Development Code required 35% of the area be designated for parking. He stated that staff would review the site plan and the size of the building may need to be reduced to comply with the Code. Commissioner Henning stated that conditions on the Special Use Permit could protect the area and use of the parcel. Mr. Rison noted the parcel was on an arterial road, which was 441.

Ms. Martohue stated that Ms. Hagle, the primary objector to the rezoning, lived in a mobile home. She stated there were deed restrictions on the adjacent property. Mr. May stated the Land Development Code would require a DCA designed home to be placed on the site for an office.

Jo Alice Hagle, SE 104th Terrace, confirmed that she had lived in a mobile home on her parcel for the past twenty-five years. She stated she had purchased other properties and built a real estate office on 441 during those years. Ms. Hagle stated that she would not object to rezoning if the Board could restrict use to a real estate sales office. She advised that her office was on the corner of 441 and 42. Ms. Hagle stated another concern was past problems with drainage in Stonecrest. Mr. May stated that a site plan review by staff would address driveway concerns and water flow issues.

Mr. Grizzard stated the property was under a Contract for Sale, contingent upon rezoning to R-E. Ms. Martohue stated the current tax value of the A-1 property was $12,000. Commissioner Townley stated the assessed value would increase if rezoning was approved. Commissioner Henning stated that conditions on the Special Use Permit would protect the area. Chairman Harris stated that R-E was not the correct zoning; however the Special Use Permit would address conditions for the use in that area.

The Board approved the motion to grant R-E zoning.

The Board agreed to consider the petition for a Special Use Permit at this time.

Zoning - 8. (Z. C. 980711SU) - The Board considered a petition by Nancy Steinmetz, P. O. Box 217, Lady Lake, FL, requesting a Special Use Permit of the Marion County Land Development Code, Section 5.3, for the purpose of a real estate office in an RE zone, on Parcel No. 48503-001-01.

Located: South on US 441/27 past SR 42. SE corner of intersection of US 441 and East Orbit Road.

PERCENT WRITTEN OPPOSITION WITHIN 300 FEET: 3 of 9 = 33%

ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Rohrbacher, seconded by Mr. Mangram, to agree with staff findings and recommendation with modifications in Conditions 4 and 5, and recommend approval of a Special Use Permit for the purpose of a real estate office in an R-E zone. Motion carried by a vote of 6-1 with Mr. Albright voting no due to the generation of traffic at this location.

Planner Rison stated that based on analysis and findings, staff recommended approval of a Special Use Permit for a professional office in an R-E zone with the following conditions:

1. The site shall be developed and operated consistent with the submitted conceptual site plan and the conditions as provided with this approval.

2. Development of the site shall be limited to one, single-story, professional office structure.

3. The site's driveway shall connect to SE 104th Terrace for access. No direct access shall be obtained from US 441.

4. In the event the site comes under joint ownership with the adjacent property to the south and east (currently Stonecrest DRI), the site shall obtain access from that adjoining property and the driveway connection to SE 104th Terrace shall be terminated and closed.

5. A land use buffer, consistent with FLUE Policy 1.11 and LDC Section 8.2.10.I(4), shall be provided along the site's northern border shared with the adjacent residential lot in the Orange Blossom Hills Subdivision. When, and if, the driveway connection to SE 104th Terrace is terminated and closed as required in the prior condition, the land use buffer shall be extended west to US 441, although extension of the land use buffer shall be adjusted to comply with site distance requirements for the US 441/SE 104th Terrace intersection.

6. An evergreen hedgerow, a minimum of 18" high at the time of planting, shall be established along the site's US 441 frontage, between US 441 and any on-site improvements (e.g., driveway, parking lot, building, etc.). The hedgerow shall be maintained consistent with vegetation planting requirements of LDC Section 8.2.10.

7. No site lighting shall be placed higher than 15' above ground level, and the lighting shall be prohibited from casting direct light off-site.

8. The site's refuse container(s) (e.g., dumpster, garbage can, etc.) shall be located a minimum of 25' from any property line and shall be enclosed by a privacy fence or wall, of a sufficient height to shield the container(s) from view by the surrounding properties. The enclosure shall include a gate or similar access control which also shields the container(s) from view by the surrounding properties.

In response to inquiry by Chairman Harris, Mr. Rison stated the Land Development Code required buffering of twenty-five feet with berms and fencing. Site Planner Bill Cobb stated the code provided that the trees should reach a height of eight feet within three years of planting. Assistant County Attorney Jeff Fowler advised that a condition on the Special Use Permit could require a site-built office on the site.

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Chairman Harris out at 3:08 p.m.; Vice-Chairman Townley assumed the chair.

Mr. May suggested that a condition for a site-built structure be included on the Special Use Permit. Mr. Fowler suggested changing condition #2 to the following: Development of the site shall be limited to one, single-story site-built real estate office structure. Mr. Trow stated it would prohibit a prefabricated structure.

Chairman Harris returned at 3:10 p.m. and assumed the chair.

Ms. Martohue stated she was not aware of the Deed Restrictions in Bridle Trails Estates Subdivision before the hearing, and requested the Board not add a specific condition requiring a site-built structure. Ms. Martohue stated condition #2 should not be changed. She suggested that consideration be made to changing the condition for a professional office, which would exempt medical offices. Ms. Martohue stated the proposed use as a real estate office would be consistent with the area, but the Special Use Permit could allow another business in the future with low impact on traffic, such as an insurance agency, in the event the real estate venture did not succeed. Commissioner Henning stated concern with protecting other residents' investments. Mr. May stated the Land Development Code did not specify uses that a Special Use Permit would allow in R-E. In response to inquiry by Mr. Fowler as to revised condition #2 for the Special Use Permit, Mr. Trow stated that Ms. Hagle would accept the revision to allow one, single-story site-built real estate office structure.

Commissioner Henning made a motion, seconded by Commissioner Townley, to adopt Resolution 98-R-173 granting the Special Use Permit with staff conditions based on findings and recommendation that the proposed use would not adversely affect the public interest, was consistent with the Comprehensive Plan and was compatible with the surrounding land uses with Condition #2 amended to the following:

2. Development of the site shall be limited to one, single-story site-built real estate office structure.

Ms. Martohue accepted the change to condition #2. The motion was approved by the Board.

Zoning - 7. (Z. C. 980708Z) - The Board considered a petition by Lori J. Busch, Bradley Busch, Trustee, and G. Shepard Dozier, Trustee, 5881 NW 80th Av. Rd., Ocala, FL, requesting a Zoning Change of the Marion County Land Development Code, Article 5, from M-1 (Light Industrial) to M-2 (Heavy Industrial) for the intended use of a truck dealership and any use permitted in an M-2 zone, on Parcel Nos. 22900-000-00, 22900-001-00, 22900-002-00, and 22900-003-00.

Located: SR 40 West. Property is on north side one mile west of I-75 (200 ft. West of NW 52nd Av. stoplight).

PERCENT WRITTEN OPPOSITION WITHIN 300 FEET: 0 of 43 = 0%

ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Fowler, seconded by Mr. Rohrbacher, to agree with staff findings and recommendation, and recommend denial of a Zoning Change from M-1 to M-2 for the intended use of a truck dealership and any other use permitted in an M-2 zone. Motion carried by a vote of 6-0. Mrs. Mastrantonio had declared a conflict of interest.

Planner Rison stated that based on analysis and findings, staff recommended denial of rezoning from M-1 to M-2 based on the intended use not being compatible with the surrounding land uses. He presented photographs showing the Ocala International Commerce Park and Ocala Airport Commerce Center that had similar uses. Mr. Rison presented a copy of a letter received from the City of Ocala, dated July 9, 1998, supporting the staff recommendation for denial of the request based on M-2 zoning not being consistent with the surrounding uses.

Lori Busch, petitioner, stated a packet of information regarding the request was submitted to the Commissioner's Office, which suggested they inspect the subject property. She stated the parcel contained 8.9 acres, was near the I-75 industrial area on Highway 40, noting its proximity to the K-Mart Distribution Center, Federal Express, Airport, Ocala Airport Commerce Center, Ocala International Commerce Center, E-One, Hughes and a future parts warehouse. Ms. Busch stated there was no opposition from the residents in the Ocala Ridge Subdivision. She stated there was a need for the services in the area, which would include truck sales, leasing, repairs and a distribution and warehousing center. Ms. Busch stated there were other M-2 uses in the area.

Commissioner Henning asked why staff recommended denial of the request and why the road had been four-laned if not for trucking uses. Mr. Rison stated that M-2 was the highest and most intense zoning classification and staff was concerned the proposed use may not continue in the future, but the adjacent subdivision could continue to develop. Commissioner Henning stated there was no opposition received from the adjacent property owners. Mr. Rison advised that staff determined the highest and best use of the property would not be M-2 zoning, which would allow other uses that might be offensive to the area. He noted the parcel was just beyond the point where the four-lane merged on SR40.

Mr. May stated light manufacturing uses and manufacturing uses were separated in the Land Development Code due to traffic generated. Chairman Harris questioned why a request for a Comprehensive Plan amendment was not submitted. Ms. Busch advised that an amendment was a long, tedious process. Chairman Harris asked how long it would take to amend the Land Development Code to allow the proposed uses by Special Use Permit. Commissioner Henning stated M-1 and M-2 zoning were different categories for the City of Ocala and the County. Mr. May advised the City was now in the process of amending its Code as to M-1 uses. Commissioner

Attachment C

Henning stated the City was the only objector to rezoning to M-2. He stated the City would require the property to be annexed if the owner requested water and sewer services. Chairman Harris questioned whether the petitioner was willing to return in two months to request a Special Use Permit. Ms. Busch stated that she would submit a petition requesting a Special Use Permit. Commissioner Cretul stated there should be no objection to that request from the adjacent property owners. Chairman Harris stated he had no objection to allowing the trucking business, but was concerned with intense uses allowed by M-2 zoning. Mr. Rison stated that M-2 would allow manufacturing businesses for cars or boats. Mr. May stated the Airport Commerce Center allowed mixed uses. Ms. Busch stated that her next step would be to approach the City regarding the issue of water and sewer services to the parcel.

Commissioner Townley made a motion, seconded by Commissioner Cretul, to disagree with staff and the Zoning Commission and to approve rezoning from M-1 to M-2. Commissioner Henning questioned where staff would propose a trucking business. Mr. Rison stated a parcel farther down SR40 near SW 60th Avenue and the airport was available. Commissioner Henning stated the issue of requesting a Special Use Permit to protect the neighborhood should be addressed. Mr. May stated that staff would need direction as to conditions to include on the Special Use Permit to fit the M-1 zoning classification. Chairman Harris stated directions could be given at a later time. He suggested the petitioner wait until staff could process a Special Use Permit. Ms. Busch requested the rezoning request from M-1 to M-2 be withdrawn. Mr. May stated that due to deadlines for preparing notices it would be three months before they would schedule the petition for consideration. Commissioner Townley withdrew the motion.

Commissioner Henning made a motion, seconded by Commissioner Townley, to waive the filing fee for a Special Use Permit under the M-1 zoning classification. The Board approved the motion.

Zoning - 9. (Z. C. 980706Z) - The Board considered a petition by Forest and Ethel Ward, 15 N. Union Street, Apt. 1, Easton, PA, requesting a Zoning Change of the Marion County Land Development Code, Article 5, from R-1 (Single Family Dwelling) to R-4 (Residential Mixed Use) for the intended use of a mobile home, and any other use permitted in an R-4 zone, on Parcel No. 45909-01-011.

Located: 441 South to Sunset Harbor Road, turn right. Go to Timucuan Road, turn left. Second road on left is SE 105th Court, turn left. Go to SE 145th Place and turn left. Follow around horseshoe (SE 105th AV) past mobile home of the Lambs, which is number 10573. Property is adjacent to the Lambs on the left side of the road.

PERCENT WRITTEN OPPOSITION WITHIN 300 FEET: 3 of 26 = 11%

ZONING COMMISSION RECOMMENDATION: Motion was made by Mr. Rohrbacher, seconded by Mrs. Mastrantonio, to disagree with staff findings and recommendation, and recommend denial of a

Zoning Change from R-1 to R-4 for the intended use of a manufactured home and any other use permitted in an R-4 zone, based on the following findings of fact:

1. Is not compatible with surrounding land uses.
2. Will adversely affect the public interest.

Motion to deny carried by a vote of 6-1 with Mr. Fowler voting no.

Planner Rison stated that based on analysis and findings, staff recommended approval of rezoning from R-1 to R-4.

Patricia Opitz, SE 145th Street, Summerfield, presented a letter, dated July 21, 1998, opposing the rezoning and photographs and map showing the assessed property values of adjacent homes and property. She stated that she lived within 300 feet of the proposed parcel and was not notified. Ms. Opitz stated residents were trying to preserve the R-1 zoning. She stated the Board should accept the recommendation of the Zoning Commission to deny the request so that additional mobile homes could not be placed on the four lots.

Bob Maxwell, SE 107th Terrace, stated that his parcel was beyond the 300 feet radius, but he opposed the rezoning. He stated the property was zoned R-1 when he purchased on Little Lake Weir and should not be changed. Mr. Maxwell stated the present property owners were trying to maintain the assessed property values.

Commissioner Henning made a motion, seconded by Commissioner Townley, to deny rezoning from R-1 to R-4 based on the Zoning Commission recommendation that the proposed use was not compatible with the surrounding land uses and would adversely affect the public interest. Mr. May pointed out that he could rezone the delineated areas for mobile homes if the Board directed him to proceed. The Board agreed to have Mr. May submit a recommendation on the lots that would be involved. The Board approved the motion to deny rezoning from R-1 to R-4.

Zoning - 10. (Z. C. 980701Z) - The Board considered a petition by Kathryn Stone, 19151 SE 135th Court, Lot 25, Dunnellon, FL, requesting a Zoning Change of the Marion County Land Development Code, Article 5, from R-4 (Residential Mixed Use) to P-MH (Mobile Home Park) for the intended use of a mobile home park, and any other use permitted in a P-MH zone, on Parcel No. 3582-253-000.

Located: From 441 South turn east on SE 52nd Street. Go south on SE 30th Court and west on SE 59th Street.

PERCENT WRITTEN OPPOSITION WITHIN 300 FEET: 2 OF 17 = 11%

ZONING COMMISSION RECOMMENDATION: Motion was made by Mrs. Mastrantonio, seconded by Mr. Rohrbacher, to disagree with staff findings and recommendation, and recommend denial of a Zoning Change from R-4 to P-MH for the intended use of a mobile home park and any other use permitted in a P-MH zone, based on the following findings of fact:

1. Is not compatible with the surrounding land uses.
2. Will adversely affect the public interest.

Attachment C

Motion to deny carried by a vote of 6-1 with Mr. Grant voting no.

Planner Rison stated that based on analysis and findings, staff recommended approval of rezoning from R-4 to P-MH.

Robert Corte, SE 59th Street, stated he was exercising a Lease Option to purchase the property from Kathryn Stone and was requesting the zoning change to P-MH to comply with State and County regulations for a mobile home park. Mr. Corte stated the neighbors feared he would install twenty mobile home units, but he could not do so without water and sewer availability. He stated the maximum that would be installed would be nine units and that he would continue to reside in a double-wide unit and rent eight units. Mr. Corte stated he wanted to upgrade the property and replace some of the older mobile homes and to expand the park. He presented a letter from the Property Appraiser, dated July 20, 1998, regarding assessed values.

Mr. May stated the 2.15 acre parcel was zoned R-4, but was not considered a mobile home park. He stated the existing mobile homes were a non-conforming use of the lands. Mr. May stated that if two units were removed the owner would come into conformance as to land use or he could request a rezoning to P-MH, which would put him into compliance with the State. He stated the non-conforming use was created when rezoning was put in place. Mr. Corte stated that due to cost it was not feasible to install a water treatment plant.

Larry Reams, SE 59th Street, stated that he lived adjacent to the property, which had not been upgraded during the four years that Mr. Corte had been there. He stated he opposed rezoning to P-MH.

Ruth Lynch, SE 59th Street, presented a letter, dated July 21, 1998, stating the reasons she opposed the rezoning. She stated Mr. Corte had not shown any responsibility for upgrading the area since he began operating the park.

Renee' Monk, SE 59th Place, stated she lived adjacent to the park and opposed rezoning based on concerns with the children coming from the park to her property and getting hurt. She stated she was concerned with future expansion of the mobile home park.

Leslie Lynch, SE 59th Street, stated he opposed the rezoning. He suggested another location on the North side of the property for a mobile home park.

Mr. Corte stated that when he agreed to purchase the property he thought it was already a mobile home park, until the State notified him differently. He stated this investment was for a future retirement income. Mr. Corte stated that improvements should be allowed and suggested the Board limit the number of units on the site to nine. He stated that most of the mobile homes were already on the property when he purchased his unit. Mr. Corte stated that he could replace existing units, but could not expand

without rezoning and State approval.

Commissioner Cretul asked what the petitioner needed to do to come into compliance with the State and County. Mr. May stated that two units would need to be removed for State compliance and be rezoned to P-MH for County compliance. He stated the existing well system had already been improved. Commissioner Townley stated objection to allowing ten units.

Commissioner Townley made a motion to accept the Zoning Commission recommendation and denied rezoning from R-4 to P-MH based on the findings that the proposed use was not compatible with the surrounding land uses and would adversely affect the public interest. The motion was seconded by Commissioner Henning and approved by the Board.

Ordinances/Zoning - Deputy Clerk Pauley presented Affidavits of Mailing and Posting of Notices received from Zoning/Development Review Director Michael E. May and Deputy Clerk M. Williamson regarding petitions for rezoning and Special Use Permits heard earlier in the public hearing.

Upon motion of Commissioner Cretul, seconded by Commissioner Townley, the Board adopted Ordinance 98-25 changing the Marion County Zoning Map pursuant to petitions heard earlier in the public hearing and entitled:

> AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING REZONING AND SPECIAL USE PERMIT PETITIONS AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

Ordinances/Roads, Miscellaneous - Assistant County Attorney noted the Scenic Roads Master Plan public hearing to consider adoption of the Plan was scheduled for Wednesday, August 6, 1998, at 1:30 p.m. He questioned whether the Board wanted to authorize advertising the public hearing. Commissioner Henning stated the public hearing should be advertised. Mr. MacNamara suggested a small display ad. The Board agreed.

There being no further business to come before the Board, the meeting thereupon recessed at 4:46 p.m., to Wednesday, July 22, 1998 at 1:00 p.m.

Randy Harris, Chairman

Attest:

David R. Ellspermann, Clerk

Development Review Comments Letter

6/16/2025 1:34:55 PM

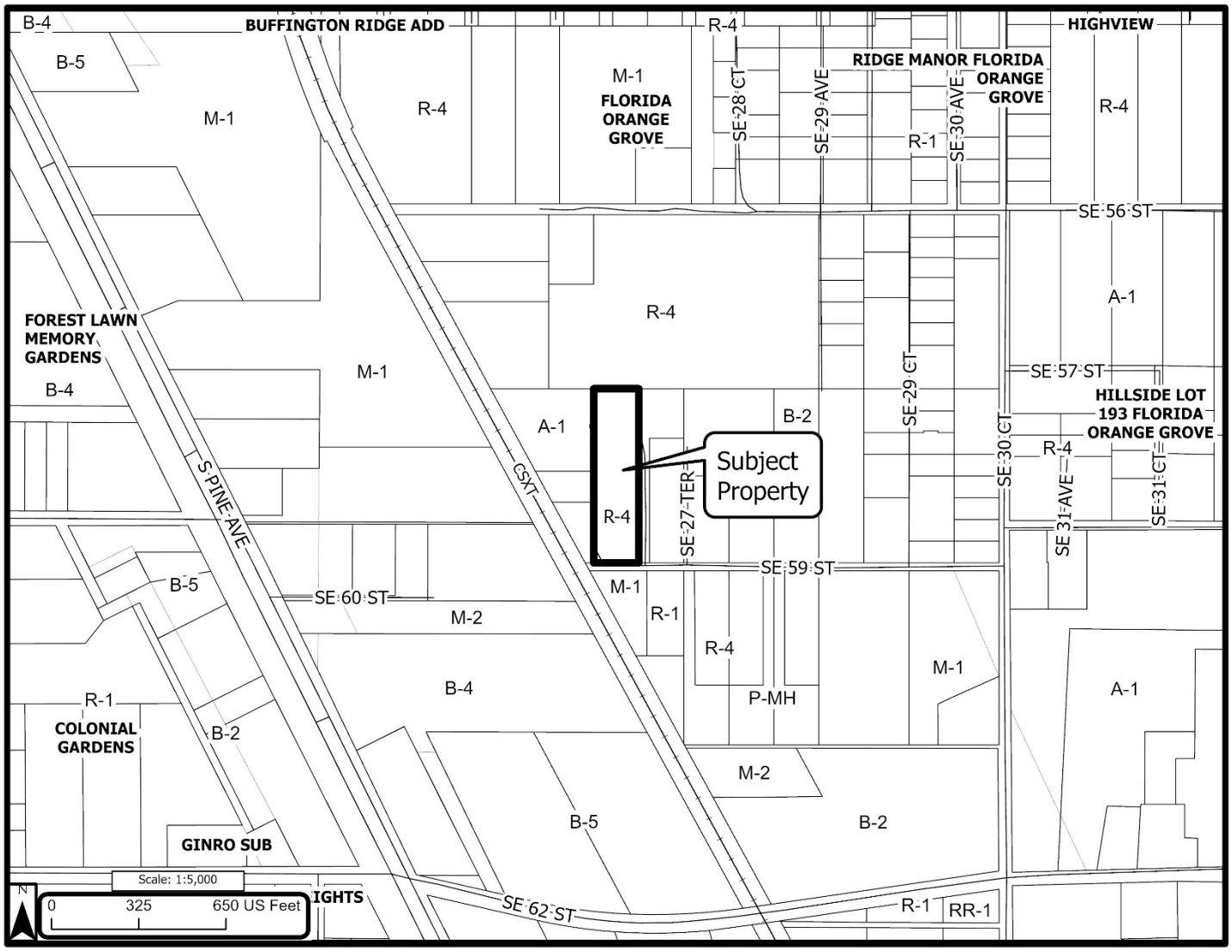
JPP SILVER SPRINGS MHP
ZO ZONING CHANGE #32763

ID	DESCRIPTION	REMARK	STATUS	DEPT	APPLICANT RESPONSE
1	Rezoning (non-PUD)	N/A	INFO	911	
2	Rezoning (non-PUD)	This will require an updated application for the MHP and Limited Use Water System permits through the Department of Health in Marion County. The addition of a new MH will require a to scale site plan of the park and proposed new space. This will require a septic permit through the Department of Environmental Protection.	INFO	DOH	
3	Rezoning (non-PUD)	Stormwater is not opposed to the rezoning. The applicant proposes to rezone from R-4 to MHP. Parcel# 3582-253-000 is currently zoned R-4 and is a total of 2.51 acres in size. There are Flood Prone Areas on the property. Per the MCPA, this parcel currently has 7,501 SF of impervious coverage. This site will be subject to a Major Site Plan when its existing and proposed impervious coverage exceeds 9,000 SF.	INFO	ENGDRN	
4	Rezoning (non-PUD)	N/A	INFO	FRMSH	
5	Rezoning (non-PUD)	No tree removal prior to DRC site plan approval	INFO	LSCAPE	
6	WILL NOT BE ADVERSE TO THE PUBLIC INTEREST		INFO	LUCURR	
7	IS COMPATIBLE WITH SURROUNDING USES		INFO	LUCURR	

ID	DESCRIPTION	REMARK	STATUS	DEPT	APPLICANT RESPONSE
8	IS CONSISTENT WITH COMP PLAN		INFO	LUCURR	
9	FUTURE LAND USE DESIGNATION CORRECT		INFO	LUCURR	
10	Rezoning (non-PUD)	The review will be conducted at the time of the reporting process.	INFO	LUCURR	
11	Rezoning (non-PUD)	Parcel 3582-253-000 is located within the Marion County Utility service area. The nearest available water connection is approximately 6,500 feet away. The proposed change of use, involving the addition of a single mobile home, will not require connection to MCU water or sewer at this time. Due to the increase in flow associated with the proposed use, it is recommended that the property owner contact the Florida Department of Health in Marion County for guidance regarding the continued use of existing wells and septic systems.	INFO	UTIL	
12	Rezoning (non-PUD)	The review will be conducted at the time of the reporting process.	INFO	ZONE	

Public Notification for: ZONING CHANGE
Marion County Growth Services Planning & Zoning (352) 438-2675

250805ZC



First Public Hearing: Planning & Zoning Commission ***07/28/2025 @ 5:30 p.m.***	**Owner(s):**	Joseph Petrolino
	Agent(s):	N/A
	Location:	5727 SE 27th Ave, Ocala, FL 34480
Second Public Hearing: Board of County Commissioners ***08/18/2025 @ 1:00 p.m.***	**Parcel(s):**	3582-253-000
	Zone(s):	R-4 (Mixed Residential)
	Acre(s):	± 2.51

Public Hearing Location: 601 SE 25th Avenue, Ocala, FL 34471 - McPherson Governmental Campus Auditorium

Request Description: Requesting a zoning change from Mixed Residential (R-4) to Manufactured Housing Park (P-MH) for all permitted uses.

You are receiving this notification because you own property that is located within 300' of the subject parcel(s)
If you have any questions, please call (352) 438-2675

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 a legal or official representation of legal boundaries.

Marion County

Planning & Zoning Commission

Agenda Item

File No.: 2025-19936 **Agenda Date:** 7/28/2025 **Agenda No.:** 4.1.

SUBJECT:
June 30, 2025

DESCRIPTION/BACKGROUND:
Minutes from the previous Planning and Zoning Commission Public Hearing.

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 Planning and Zoning Department files for record purposes.

The Marion County Planning and Zoning Commission met on June 30, 2025, at 5:30 pm in the Board of County Commissioners Auditorium, 601 SE 25th Avenue, Ocala, Florida.

PLEDGE OF ALLEGIANCE AND INVOCATION

Michael Behar led the Invocation and the Pledge of Allegiance.

CALL TO ORDER

Board members present were Vice Chair Michael Kroitor, Andy Bonner, Michael Behar, and Jerry Lourenco.

Staff members present were Assistant County Administrator Tracy Straub, Assistant County Attorney Dana Olesky, Director Chuck Varadin, Deputy Director Ken Weyrauch, Planners Chris Rison, Kathleen Brugnoli, Sarah Wells, Erik Kramer, Jared Rivera, Administrative Manager Nate Mittler, Administrative Staff Assistant Autumn Williams, and Staff Assistant IV Kim Lamb.

ACKNOWLEDGEMENT OF PROOF OF PUBLICATION AND MAILING AND POSTING OF NOTICE

Autumn Williams read the Proof of Publication and the Affidavit of Mailing and Posting of Notice and advised that the meeting was properly advertised.

EXPLANATION OF PROCEDURE FOR HEARING REQUESTS

Vice Chairman Michael Kroitor and Assistant County Attorney Dana Olesky explained the procedure for hearing requests to the audience.

1. Items on the Consent Agenda

250703ZC – Justin and Katelyn Kardell

Zoning Change from Neighborhood Business (B-1) to Single-Family Dwelling (R-1), 0.51 Acres, Parcel Account Number 1507-004-000, Site Address 1701 NE 60th Street, Ocala, FL 34479

250704ZC – Sicurezza, LLC

Zoning Change from Single-Family Dwelling (R-1) to Mixed Residential (R-4), 0.86 Acre Tract, Parcel Account Numbers 3500-001-040 and 3500-001-046, Site Addresses 11212 and 11252 SW 109th Place Dunnellon, Florida, 34432

250707ZP – A & B Properties Services, LLC

Zoning Change from Multiple-Family Dwelling (R-3) to Residential Planned Unit Development (R-PUD), 0.55 Acre Parcel, Parcel Account Number 8004-0433-18, Address 351 Marion Oaks Boulevard, Ocala, FL 34473

Michael Behar made a motion to agree with the staff's findings and recommendations, and recommend approval of the applications on the consent agenda because they will not adversely affect the public interest, are consistent with the Marion County Comprehensive Plan, and are compatible with the surrounding land uses. Seconded by Andy Bonner. The motion passed unanimously, 4-0.

2. Consider the Following Individual Requests

250701SU – Raney's 13708 (CASE WITHDRAWN BY APPLICANT)

Special Use Permit to Allow for Hosting Outside Music Events, Carnivals, Trade Shows, Expos, Car Shows, Food Truck Rallies, Festivals, Parties, Company Events, Speaking Events, Circus, Dance Galas, and Charity Events in a Heavy Business (B-5) Zone, 33.21Acre Parcel, Parcel Account Number 13708-000-00, Site Addresses 4121 and 4125 NW 44th Avenue, Ocala, FL 34482

This item was withdrawn by the applicant and not heard.

25-L03 – Estate of Michael Couture, Eva Couture, P.R. (CONTINUED DATE CERTAIN TO AUGUST 25, 2025)

Large-Scale Comprehensive Plan Amendment for a Future Land Use Designation Change from Rural Land (RL) to Medium Residential (MR), ±55.0 Acres, Parcel Account Number 47667-000-00, Site Address 15700 SE 73rd Avenue, Summerfield, FL 34491

This item was continued to the August 25, 2025, Planning and Zoning Meeting.

250706ZP – Estate of Michael P. Couture, Eva Couture, P.R. (CONTINUED DATE CERTAIN TO AUGUST 25, 2025)

Zoning Change from General Agriculture (A-1) to Planned Unit Development (PUD), ±55.0 Acres, Parcel Account Number 47667-000-00, Site Address 15700 SE 73rd Avenue, Summerfield, FL 34491

This item was continued to the August 25, 2025, Planning and Zoning Meeting.

DRAFT

250702ZC – Kevin and Barbara Marovich (PULLED FROM CONSENT)

Zoning Change from Single-Family Dwelling (R-1) to General Agriculture (A-1), ±11.78 Acre Parcel, Parcel Account Number 36142-000-00, Site Address 7600 S Magnolia Avenue, Ocala, FL 34476

Deputy Director Ken Weyrauch, Growth Services, presented the case and read the report into the record. Staff recommends approval.

Kevin and Barbara Marovich, 7600 S. Magnolia, Ocala, 34476, the property owner and applicant, addressed the Board.

The following members of the public spoke during Public Comment:

- Amy Morris – 7459 SW 5th Avenue, Ocala, 34476
    - Opposed to the use of SW 5th Avenue. Questions on the proposed access to the parcel and its uses. Concerns for her grandchild if this access is being used. States this road is not county-maintained and is maintained by the people who live in the area.
- Steven Griffin – 657 SW 72nd LN, Ocala, 34476
    - Opposed to the use of SW 5th Avenue. This is a small private/privately maintained road to their neighborhood, and they do not want it used as a public access.
- Armando Santos – 7498 SW 5th Avenue, Ocala, 34476
    - Opposed, provided 2 written letters of opposition at the podium. Concurs with what has already been stated and is opposed to what is being proposed for this parcel.

Andy Bonner made a motion to agree with the staff's findings and recommendation, and recommend approval of this application because it will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Seconded by Michael Behar. The motion passed unanimously, 4-0.

25-S08 – CCO Hospitality, LLC (PULLED FROM CONSENT)

Small-Scale Land Use Change from Rural Land (RL) to Medium Residential (MR), ± 0.62 Acre Portion of a ±154.74 Acre Parcel, Parcel Account Number 3634-000-001, Site Addresses 6823 & 6825 SE 12th Circle, Ocala, FL 34480

Planner Erik Kramer, Growth Services, presented the case and read the report into the record. Staff recommends approval.

Fred Roberts, JR., 40 SE 11th Ave, Ocala, FL 34471, on behalf of the property owner and applicant, addressed the Board.

Andy Bonner made a motion to agree with the staff's findings and recommendation, and recommend approval of this application because it will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Seconded by Michael Behar. The motion passed unanimously, 4-0.

25-S09 – Raymond Rains, Serving as Personal Representative of the Estate of John Rains, SR., LLC (PULLED FROM CONSENT)

Small-Scale Land Use Change from Rural Land (RL) to Commercial (COM), 20.0 Acre Parcel, Parcel Account Number 45984-000-00, No Address Assigned

Deputy Director Ken Weyrauch, Growth Services, presented the case and read the report into the record. Staff recommends approval.

Jimmy Gooding, 1531 SE 36th Ave., Ocala, FL 34471, on behalf of the property owner and applicant, addressed the Board.

The following members of the public spoke during Public Comment:

- Robert Gagnon – 14201 SE 80th Avenue, Summerfield, 34491
    - In favor, feels this property has been an eyesore for years. Asks that the trees bordering his parcel be removed because they are not maintained and continue to fall on his fence, and he has to fix it.
- Jo Cummings – 14345 SE 80th Avenue, Summerfield, 34491
    - Opposed, feels this request is not compatible with this area. States there are supposed to be shrubs to block the noise and sight of the existing PRV, but those were not maintained and have since died, no longer acting as a buffer at all. Feels the growth in the area is encroaching on the rural land in this area. The trees that are there are the only barrier to the existing PRV, and does not want them removed.
- David Cummings - 14345 SE 80th Avenue, Summerfield, 34491
    - Opposed, states he rescues bees. Feels the pesticides the RV park will spray will destroy his beehives. Concerns for the wildlife that are currently living in these 20 acres, they will have nowhere to go if they clear this land. The trees buffer his parcel from Highway 441. Feels the growth in the area is encroaching on the rural land in this area, and that the horse country is being destroyed. Concerns of traffic congestion becoming a bigger issue as more development has already been approved in the area.

- Mira Korber – 6555 SW 59th Street, Ocala, 34474
    - Opposed, concerns about the environmental impact this will cause. Questions why there are boundaries, such as the Urban Growth Boundary, if these types of requests are allowed to happen in areas not designated.

Jerry Lourenco made a motion to agree with the staff's findings and recommendation, and recommend approval of this application because it will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Seconded by Andy Bonner. The motion passed, 3-1, with Michael Behar dissenting.

250705ZC (with 25-DA02) Raymond Rains, Serving as Personal Representative of the Estate of John Rains, SR., LLC (PULLED FROM CONSENT)

Zoning Change from General Agriculture (A-1) to Recreation Vehicle Park (P-RV), 20.0 Acre Parcel, Parcel Account Number 45984-000-00, No Address Assigned, Accompanied by a Developer's Agreement (25-DA02) Proposed in Addition to this Zoning Change Request

Deputy Director Ken Weyrauch, Growth Services, presented the case and read the report into the record. Staff recommends approval.

Jimmy Gooding, 1531 SE 36th Ave., Ocala, FL 34471, on behalf of the property owner and applicant, addressed the Board.

Vice Chair Michael Kroitor stated for the record that the board would presume that the public comment previously stated in companion case 25-S09 would also be applied to the present case and shall be incorporated by the previous reference.

Jerry Lourenco made a motion to agree with the staff's findings and recommendation, and recommend approval of this application because it will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Seconded by Andy Bonner. The motion passed, 3-1, with Michael Behar dissenting.

25-S04 – Thomas R. Moore

Small-Scale Land Use Change from Rural Land (RL) to Rural Activity Center (RAC), ±18.72 Acre Portion of a 23.62 Acre Parcel, Parcel Account Number 13002-000-00, Site Address 6853 W Highway 326, Ocala, FL 34482

Planner Kathleen Brugnoli, Growth Services, presented the case and read the report into the record. Staff recommends denial.

David Tillman, 1720 SE 16th Ave., Bldg. 100, Ocala, 34471, on behalf of the property owner and applicant, addressed the Board.

The following members of the public spoke during Public Comment:

- Nancy Cavaignac – 8515 NW HWY 225A, Ocala, 34482
    - Opposed, traffic concerns. She does not want heavy trucks and equipment on the roads that are already in poor condition. Feels this use is not needed in this area. Wants the Farmland Preservation Area protected and preserved.
- Lena Sandlin – 12720 W HWY 328, Ocala 34482
    - Opposed, feels there are enough of these businesses in this area. Asks when the growth will stop? Wants the Farmland Preservation Area protected and preserved.
- Busy Shires – 4899 NW 90th Avenue, Ocala, 34482
    - Opposed, this request is within the Farmland Preservation Area and does not feel it meets the requirement to be used for a Rural Activity Center (RAC). The existing RAC in the area is not being fully used/developed at this time, and thinks this should be utilized first before adding to it. Describes approving this as inefficient commercial sprawl. Concerns that once the land use change and zoning change are approved, it opens doors for a number of other uses than what is being proposed today.

Michael Behar made a motion to agree with the staff's findings and recommendation, and recommend denial of this application because it will adversely affect the public interest, is not consistent with the Marion County Comprehensive Plan, and is not compatible with the surrounding land uses. Seconded by Andy Bonner. The motion passed, 3-1, with Jerry Lourenco dissenting.

250207ZC – Thomas R. Moore

Zoning Change from General Agriculture (A-1) to Rural Activity Center (RAC), ±18.72 Acre Portion of a 23.62 Acre Parcel, Parcel Account Number 13002-000-00, Site Address 6853 W Highway 326, Ocala, FL

Planner Kathleen Brugnoli, Growth Services, presented the case and read the report into the record. Staff recommends denial.

David Tillman, 1720 SE 16th Ave., Bldg. 100, Ocala, FL 34471, on behalf of the property owner and applicant, addressed the Board.

Vice Chair Michael Kroitor stated for the record that the board would presume that the public comment previously stated in companion case 25-S04 would also be applied to the present case and shall be incorporated by the previous reference.

Michael Behar made a motion to agree with the staff's findings and recommendation, and recommend denial of this application because it will adversely affect the public interest, is not consistent with the Marion County Comprehensive Plan, and is not compatible with the surrounding land uses. Seconded by Andy Bonner. The motion passed unanimously, 4-0.

25-L01 – Golden Ocala Equestrian Land, LLC, et. al

Comprehensive Plan Large Scale Text Amendment to amend Future Land Use Element (FLUE) Policy 2.1.28 - World Equestrian Center, FLUE Table 2-1 - Summary of Future Land Use Designations, FLUE Policy 10.5.1 - Golden Ocala, and FLUE Map 15.h - Golden Ocala, Multiple Addresses and/or No Addresses Assigned

Senior Planner Chris Rison, Growth Services, presented the case and read the report into the record. Staff recommends approval.

Jimmy Gooding, 1531 SE 36th Ave., Ocala, FL 34471, Eric Sullivan, 445 Harbor DR. S, Indian Rocks Beach, 33785, and David Tillman, 1720 SE 16th Ave., Bldg. 100, Ocala, FL 34471, on behalf of the property owner and applicant, addressed the Board.

The following members of the public spoke during Public Comment:

- Busy Shires – 4899 NW 90th Avenue, Ocala, 34482
    - Opposed, not to what is proposed, but where it is being proposed. She feels the proposed use will be located in the wrong area because the land falls within the Farmland Preservation Area. States this particular land was already removed from the Farmland Preservation Area and Urban Growth Boundary to act as a buffer for the existing horse farms. Feels these applications propose to undo all those things previously negotiated with the World Equestrian Center. States that there are no horses included in this request, making the application inconsistent with the Farmland Preservation Area.

- Ashley Johnson – 7744 NW 90th Avenue, Ocala, 34482
    - Opposed, works in the Farmland Preservation Area, and is constantly told by clients how beautiful this area is. She concurs with what was previously stated. Feels the Farmland Preservation Area should be protected. States that this proposed use can be done somewhere else within the county.

- Jenny Sesser – 12191 N Magnolia Avenue, Ocala, 34475
    - Opposed, feels this requested change breaches prior agreements, which prohibited these types of uses. Does not think this proposal is compatible with the area. States that the pesticides used to maintain these fields will ruin the soil. Feels the soccer fields are not as beautiful as a horse farm. Asks what kind of effect the noise and disruption from this type of facility will have on the horses in the area. Not opposed to what they are requesting, but is opposed to the location it is being proposed.

- Ira Stern – 4935 NW 135th Street, Reddick, 32686
  - Opposed, states this is part of the Farmland Preservation Area. Asks what the effect of these fields and hotels will be on our water sources? Asks how this will be mitigated, will there be land added to the Farmland Preservation Area? How will this affect the sports complex on 38th, which he always sees empty?

- Tim Gant – 17820 SW 3rd Street, Micanopy, 32667
  - Opposed, concurs with what has been previously stated. Asks what is the public interest in this request? How much revenue may or may not be brought to Marion County? Feels the community as a whole should be considered when speaking on public interest, and not just the applicant making the request.

- Ken Davis – 731 NE 95th Street, Ocala, 34479
  - Opposed, feels this is a deplorable thing coming to Marion County. Where is the water coming from to maintain these fields? States concerns for our Aquaphor. Asks how much of the stated revenue will actually trickle down and come into the county or stay on site for the applicant's own profits?

- Mira Korber – 6555 SW 59th Street, Ocala, 34474
  - Opposed, states that a sports facility does not support the horse community in any way. What is the community they are supporting, then?

- Nancy DiMaggio – 3358 NW 54th Court, Ocala, 34482
  - Opposed, states that what is proposed is similar to an ESP sports complex and explained that they cannot fill this more than a few event days a year, but it is mostly vacant. Concerns with the amount of water and pesticide that will be used to maintain these fields.

- Carol Demme – 11701 NW 13th Street, Ocala, 34482
  - Opposed, feels the signs were not appropriately posted, and does not think a 300ft mailing buffer is appropriate. Has safety concerns for the people who bike in this area. Traffic concerns. Feels this is not the area for this.

- Lena Sandlin – 12720 W 328, Ocala, 34482
  - Opposed, does not feel this is a good fit for the area. States her main concern is that the requested use includes building a concert hall and ice rink. Does not feel the community needs this here and asks to keep the agricultural integrity of the area.

- Greg Wheeler – 10137 NW 19th Place, Ocala, 34482
  - Opposed, concerned about the lights, bright neon colors, and noise of PA systems. Feels noise and lighting is already an issue here.

- Mark Savage – 4275 SW 177th Court, Dunnellon, 34432
  - Opposed, no interest in seeing Ft Lauderdale style development here in Marion County. Has no interest in the proposed request.

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- Nancy Cavaignac – 8515 NW HWY 225A, Ocala, 34482
    - Opposed, concerns of noise disruption to the horses. States she can already see the existing lights. Feels this will lead to people not bringing their horses here. Concerns about the pesticides that will be used to keep the fields pristine. Asks who is going to benefit from this? Concerns for increased numbers of sinkholes and negative effects on the springs.

Michael Behar made a motion to agree with the staff's findings and recommendation, and recommend approval of this application because it will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Seconded by Andy Bonner. The motion passed unanimously, 4-0.

25-L02 – Golden Ocala Equestrian Land, LLC, et. al

Comprehensive Plan Large-Scale Map Amendment to Change the Future Land Use Designation on ±250.86-Acres from Low Residential (LR) to World Equestrian Center (WEC), on Parcel Account Numbers including 21081-048-00, and portions of 21069-007-01, 21081-000001, 21081-001-00, 21087-001-00, 21087-001-02, 21065-000-00, and 21069-010-03, Multiple Address and/or No Addresses Assigned

Senior Planner Chris Rison, Growth Services, presented the case and read the report into the record. Staff recommends approval.

Jimmy Gooding, 1531 SE 36th Ave., Ocala, FL 34471, Eric Sullivan, 445 Harbor DR. S, Indian Rocks Beach, 33785, and David Tillman, 1720 SE 16th Ave., Bldg. 100, Ocala, FL 34471, on behalf of the property owner and applicant, addressed the Board.

Vice Chair Michael Kroitor stated for the record that the board would presume that the public comment previously stated in companion case 25-L01 would also be applied to the present case and shall be incorporated by the previous reference.

Michael Behar made a motion to agree with the staff's findings and recommendation, and recommend approval of this application because it will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Seconded by Andy Bonner. The motion passed unanimously, 4-0.

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250606ZP – Golden Ocala Equestrian Land, LLC, et. al

Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, to Amend Two Existing Planned Unit Development (PUD) Projects to Combine the PUDs into a Single United PUD and Amend a Portion of the United PUD to Allow for an Indoor/Outdoor Sports Complex and Event Venue Facility, Along with Establishing and Modifying Development Standards for the New and Existing Uses, on ±4,276.21 Acres Consisting of 391 Parcels, Including, but Not Limited to, Primary Parcel Identification Numbers of Interest 21069-007-001, 21081-000001, 21081-001-00, 21081-048-00, 21087-001-00, 21087-001-02, and 21623-000-00, and Other Numerous Parcels, Multiple Addresses and/or No Addresses Assigned

Senior Planner Chris Rison, Growth Services, presented the case and read the report into the record. Staff recommends approval.

Jimmy Gooding, 1531 SE 36th Ave., Ocala, FL 34471, Eric Sullivan, 445 Harbor DR. S, Indian Rocks Beach, 33785, and David Tillman, 1720 SE 16th Ave., Bldg. 100, Ocala, FL 34471, on behalf of the property owner and applicant, addressed the Board.

Vice Chair Michael Kroitor stated for the record that the board would presume that the public comment previously stated in companion case 25-L01 would also be applied to the present case and shall be incorporated by the previous reference.

Michael Behar made a motion to agree with the staff's findings and recommendation, and recommend approval of this application because it will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Seconded by Andy Bonner. The motion passed unanimously, 4-0.

3. Other Business

4. Review the Minutes of the Previous Meeting

Michael Behar made a motion to approve the minutes from the May 28, 2025, Planning and Zoning Commission meeting. Seconded by Jerry Lourenco. The motion passed unanimously, 4-0.

ADJOURNMENT

The meeting adjourned at 8:52 PM

Attest:

_____
Greg Lord, Chairman

_____
Autumn Williams
Administrative Staff Assistant

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Planning & Zoning Attendance Report

2025		January	February	March	April	May	June	July	August	September	October	November	December
Michael Behar	Board Member	X	X		X		X						
Danny Gaekwad	Board Member	X	X	X		X							
Greg Lord	Board Member	X		X	X	X							
Jerry Lourenco	Board Member		X	X	X	X	X						
Michael Kroitor	Board Member	X	X	X	X		X						
Andy Bonner	Board Member	X	X	X	X	X	X						
Donald Johnson	Board Member	-	-	-	-	X							
*Thomas Fisher	Alternate	X	X	X	X	X							
*Paul Stentiford	Alternate	-	-	-	-	-							

X Present