



Marion County  
Board of County Commissioners

Growth Services + Zoning

2710 E. Silver Springs Blvd.  
Ocala, FL 34470  
Phone: 352-438-2675  
Fax: 352-438-2676

OFFICE USE ONLY

Received By: C. G. ...

Date Received: 5-16-25

VARIANCE APPLICATION

Application #: \_\_\_\_\_

FOR COUNTY USE ONLY

3578-023-027/10185 Sw 41st Ave Ocala FL 34476

Parcel Account Number of Subject Property

THE UNDERSIGNED REQUESTS A VARIANCE AS REFERENCED IN SECTION 2.9 OF THE MARION COUNTY LAND DEVELOPMENT FOR THE PURPOSE OF:

Installation of a sunshade/carport in front of our garage, typical of several within the neighborhood. The foundation of the garage is 53ft. from the street the structure is 26ft. from the street. Original permit number 2024102255

Added survey page with dimensions. I am requesting variance from 25ft to 7'-9" from PL.

Section of Code requesting variance from: 4.2.9

Legal Description (Please attach a copy of deed). Total Acreage of subject property: .46 +/- acres

Directions to subject property:

Property is in Ocala waterway, sitting at the intersection of 102nd lane road and 41st avenue the area code is 34476

Please Note: Property owner must sign this application: Otherwise he/she must attach to this application written authorization naming an agent to act in his/her behalf.

[Signature]  
(Print/Signature) Property Owner

10185 Sw 41st ave

Address

Ocala

City, State, Zip Code

FL 34476

Contact Info: Phone, cell, e-mail address

dachhassman@comcast.net

THE FILING FEE IS \$ 550 NON-REFUNDABLE. WE RECOMMEND THAT THE OWNER, APPLICANT OR AGENT BE PRESENT AT THE HEARING. IF NO REPRESENTATIVE IS PRESENT AND THE BOARD REQUIRES ADDITIONAL INFORMATION, THEY MAY DECIDE TO POSTPONE OR DENY THE REQUEST. NOTICE OF SAID HEARING WILL BE MAILED TO THE ABOVE ADDRESS. ALL INFORMATION GIVEN MUST BE CORRECT AND LEGIBLE TO BE PROCESSED. PLEASE NOTE THAT A WRITTEN PETITION (REFER TO PAGE 2 & 3) MUST BE PROVIDED WITH THIS APPLICATION, ALONG WITH A SITE PLAN IN ORDER TO BE CONSIDERED COMPLETE. FOR FURTHER INFORMATION CONTACT THE MARION COUNTY GROWTH SERVICES.

[Signature]  
(Print) Applicant or Agent

\_\_\_\_\_

Address

\_\_\_\_\_

City, State, Zip Code

719-640-5250

Contact Info: Phone, cell, e-mail address

received 5/19/25 AR 32859

CC 983672

"Meeting Needs by Exceeding Expectations"

www.marioncountynvfl.org

**WRITTEN PETITION FOR VARIANCE**

WRITE YOUR ANSWERS IN THE SPACE PROVIDED AFTER EACH STATEMENT. PLEASE COMPLETE ALL REPLIES USING A SENTENCE FORM. A VARIANCE FROM THE TERMS OF THESE REGULATIONS SHALL NOT BE GRANTED BY THE BOARD OF ADJUSTMENT UNLESS A WRITTEN PETITION FOR A VARIANCE IS SUBMITTED JUSTIFYING THE FOLLOWING:

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.

*Applicant's justification:*

Requesting a waiver from the 25ft setback from property line, in lieu dimensions would be from the street as found on other properties with similar structures. By allowing this we will maintain the 25ft from the street. Due to the orientation of the property and home there is no available options to protect vehicles and reduce suns impact and heat to the garage and master suite.

Added survey page with dimensions. I am requesting a variance from 25ft to 7'-9" from PL

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

*Applicant's justification:*

We moved to FL in February of 2024. The property we selected faces due west; our garage faces due west. Our vehicles will not fit in the garage thus they are exposed to the afternoon sun and heat all day. The sunshade/carport keep this direct sun off the paint rubber and leather, thus extending the life of the vehicles. Additionally, my wife works at home, we have several dogs that spend the day in our garage, we have a dog door that allows access to the fully fenced back yard. The heat to the garage from midday to late evening has proven to heat our garage and master suite extensively. To reduce the heat, we have insulated the garage. In addition, we have added a room air conditioner for extreme heat day. I researched the sunshade/carport prior to selecting a contractor. there are five sunshade/carports in the neighborhood that are similar. Adding the sunshade/carport had reduced the heat by an additional 5-10 degrees.

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 are under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

*Applicant's justification:*

There are four permitted properties within blocks of my property that have the same installation typical in size and layout, each of these was permitted and approved insight of code section 4.2.9 permit numbers addresses and actual dimensions from street:

2015031486 10247 Sw 41st Ave 34476 [street to garage 56' street to str. 36' structure is 20']

2014010818 4074 Sw 103rd Ln. 34476 [street to garage 53' street to str. 33' structure is 20']

2014100136 10114 Sw 42nd Ave 34476 [street to garage 51' street to str. 31' structure is 20']

2010110636 4861 Sw 106th Pl. 34476 [street to garage 50' street to str. 29' structure is 20']

My structure original permit # 2024102255 [street to garage 50' street to structure 26' structure is 24'] The length of my structure is based on the length of my truck 19' 6" plus 3' 6" from the garage door to allow for the mower.

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25' from  
st.  
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D. The Variance, if granted, is the minimum Variance that will allow the reasonable use of the land, building or structure.

*Applicant's justification:*

Planning of this structure and installation, is the final step in our best efforts for the protection and welfare of the real property and inhabitants. A structure placed in any other part of the property would not serve the same purpose or provide the same results of this design and layout

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

*Applicant's justification:*

This is true, [as noted above] there are several properties in the area that have already been granted permits and installation of the same type of structure, that by definition do not comply with the setback requirements as interpreted by the county in 4.2.9

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

*Applicant's justification:*

Planning this structure every dimension was planned based on need and without impacting line of sight, right of way, or visual interference with neighboring homes. there are similar structures on the same street.