

RESOLUTION NO. 26-R-

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

WHEREAS, a petition for 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 April 27, 2026; and

WHEREAS, the aforementioned petition was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, May 19, 2026. Now, therefore,

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

1. **SECTION 1. SPECIAL USE PERMIT PETITION 260504SU** – 848 Broadway, LLC, the petition requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Spencer Fane, SCI Funeral Services of Florida, LLC, Tampa, FL 33602, to allow for the operation of a funeral home and crematorium facility, in a Heavy Business (B-5) zone, on an approximate 1.65 Acre Parcel, on Parcel Account Number 36459-001-00, Site Address 7075 S. Pine Avenue, Ocala, FL 34480

SECTION 2. FINDINGS AND CONDITIONS. The Board has determined that this request will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. The Board of County Commissioners **agrees/disagrees** with the recommendation of **approval with conditions/denial** and findings of the Planning and Zoning Commission, and approves the Special Use Permit subject to the following conditions:

1. The site shall be developed and operated consistent with the proposed uses, submitted Conceptual Site Plan, and the conditions as provided with this approval.
2. The crematorium shall comply with all applicable federal, state, and local regulations, including air quality permitting requirements.
3. No outdoor storage or processing of materials associated with the crematorium shall be permitted.
4. The proposed cremation and processing operation shall be conducted indoors.
5. The dumpster enclosure shall not be used to dispose of materials associated with cremation.
6. To avoid potential noise and limits on emissions that are released through the cremation process, the crematorium hours of operations are limited to 6:00 a.m. to 9:00 p.m.
7. No funeral or memorial services shall be conducted on-site.
8. A modified C-type buffer along South Pine Avenue consisting of evergreen hedges, which are to be maintained at a minimum of 3' in height, and three (3) ornamental trees per one hundred (100) lineal feet is to be installed and maintained.

9. If public water or sewer becomes available from the public utility provider, connection will be required to services within 365 days of notification.
10. The site shall be developed and operated consistent with the proposed uses, submitted Conceptual Site Plan, and the conditions as provided with this approval.
11. A new Special Use Permit will be required for any future expansion of the approved crematory use.
12. The Special Use Permit runs with 848 Broadway LLC and not the property.
13. The Special Use Permit shall expire on May 19th, 2031; however, it may be renewed administratively three times for up to 5 years each 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).

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 19th day of May, 2026.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

GREGORY C. HARRELL, CLERK

CARL ZALAK, III, CHAIRMAN