

**Official Minutes of
MARION COUNTY
BOARD OF COUNTY COMMISSIONERS**

October 20, 2025

CALL TO ORDER:

The Marion County Board of County Commissioners (BCC) met in regular session in Commission Chambers at 1:30 p.m. on Monday, October 20, 2025 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:

The meeting opened with the Pledge of Allegiance to the Flag of our Country.

1:30 PM ROLL CALL:

Upon roll call the following members were present: Chairman Kathy Bryant, District 2; Vice-Chairman Carl Zalak, III, District 4; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Michelle Stone, District 5.

Also present were: Growth Services Director Chuck Varadin, Deputy Director Ken Weyrauch, Transportation Planner Ken Odom, Senior Planner Chris Rison, Planner Erik Kramer, Staff Assistants Autumn Williams and Kim Lamb, County Attorney Matthew G. Minter, and Assistant County Administrator (ACA) Tracy Straub.

1. PLANNING & ZONING AND DRC WAIVER REQUESTS - REQUEST PROOF OF PUBLICATION (AT 1:30 PM):

Deputy Clerk Mills-McAllister presented proof of publication of Legal ad No. 11713944 entitled, "Notice of Intention to Consider Adoption of an Ordinance", published in the Star Banner newspaper on October 6, 2025. The Notice states the Board will consider adopting an Ordinance approving Comprehensive Plan Amendments, rezoning and/or Special Use Permit (SUP) applications.

Chairman Bryant passed the gavel to Commissioner Zalak who assumed the Chair.

Commissioner Bryant out at 1:33 p.m.

County Attorney Matthew G. Minter provided a brief overview of the process for today's Master Plan approval, land use and zoning.

Commissioner Bryant returned at 1:34 p.m.

Chairman Zalak returned the gavel to Commissioner Bryant who resumed the Chair

Mr. Minter requested that everyone who will be testifying today to please stand and be sworn in en masse.

1.1. Planning and Zoning Consent Items:

Growth Services Director Chuck Varadin advised that the one (1) petition listed on the Consent Agenda is recommended for approval by both the Planning Division and the P&Z Commission.

P&Z PUBLIC HEARING ON SEPTEMBER 29, 2025

Motion was made by Mr. Gaekwad and seconded by Mr. Bonner, to agree with staff's findings and recommendation and recommend approval of the Consent Agenda item based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan

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3. Is compatible with the surrounding land uses

The Motion passed unanimously 4-0.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Byant advised that public comment is now closed.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to approve Consent Agenda item 1.11, agreeing with Growth Services Department staff and the P&Z Commission recommendations, based on findings that the proposed use is compatible with the surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0). The motion approved the Consent Agenda item as follows:

1.11. 25-S13 - Stephen and Tasha Curry, Small Scale Land Use Change from Medium Residential (MR) to High Residential (HR), 0.53 Acre Parcel, Parcel Account Number 2304-022-028, No Address Assigned

The Board granted a petition by Stephen & Tasha Curry, for a Land Use Change, Articles 2 and 4, of the Marion County Land Development Code, to change from Medium Residential (MR) to High Residential (HR) to provide a single-family residence and one (1) duplex, on an approximate 0.53 Acre Parcel, on Parcel Account Number 2304-022-028, No Address Assigned

1.2. Planning and Zoning Items for Individual Consideration:

1.2.1. 251001SU - Carl (CJ) Kester, Post Commander of the Wall-Rives American Legion Post #58, Special Use Permit to Allow for an Outdoor Community Flea Market and Other Outdoor Events, in a Community Business (B-2) Zone, 1.69 Acre Parcel, Parcel Account Number 33607-001-00, Site Address 10730 S Highway 41, Dunnellon, FL 34432

The Board considered a petition by Wall-Rives American Legion Post 58, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow for an outdoor community flea market, in a Community Business (B-2) zone, on an approximate 1.69 Acre Parcel, on Parcel Account Number 33607-001-00, Site Address 10730 South Highway 41, Dunnellon, FL 34432

P&Z PUBLIC HEARING ON SEPTEMBER 29, 2025

251001SU Planning and Zoning Commission Recommendation

Motion was made by Mr. Gaekwad, seconded by Mr. Bonner, to agree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

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

The Motion passed unanimously 4-0.

Transportation Planner Kenneth Odom, Growth Services, provided an overview of the SUP request to allow for an outdoor community flea market, in a B-2 zone.

Commissioner Curry questioned whether there was any outdoor entertainment such as bands. Mr. Odom stated it was not indicated to staff; however, Post Commander Carl "C J." Kester will be able to elaborate. He advised that if there were a request for that type of entertainment staff could add a Condition to the SUP.

In response to Mr. Minter, Mr. Odom clarified that a Condition relating to amplified music can be added at the Board's direction. He stated the word "construct" in staff's proposed Condition 3 has been changed to "structures" per Mr. Minter's direction, noting additional

clarifying language can be added. Mr. Odom advised that the term gaming areas refers to things such as horseshoes and not gambling. He commented on additional language changes to this Condition as seen in yellow on the overhead screens.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval of the SUP with the following Conditions:

1. The Special Use Permit shall run with the Wall-Rives American Legion Post #58. Should the property be sold, sublet, or the use changed, the Special Use Permit shall be terminated.
2. Flea Market operations shall be limited to one weekend per month for a total of twelve per year.
3. The applicant shall adhere to the conceptual plan as presented in this application. Any new constructs, other than storage facilities (sheds, barns, etc.) or minor amenities (fire pits, pergolas, small gaming areas, etc.) may necessitate that this Special Use Permit be modified and reheard by the Board of County Commissioners, at the expense of the applicant. In this event, the applicant shall notify the Growth Services Director to indicate that a deviation from the conceptual plan is proposed. Should the applicant neglect this notification, it may result in the revocation of the Special Use Permit.
4. This Special Use Permit does not grant the applicant the right to hold any Special Events that are not listed in this document. Any additional events shall be listed as any other standard special event and shall have to be separately permitted through Marion County.
5. The Special Use Permit shall expire October 21, 2030; however, it may be renewed administratively for 5-year periods 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).

Post Commander Carl Kester Jr., American Legion, South US 41, Dunnellon, commented on the community aspect of the flea markets, noting it drew in more veterans and allows individuals to help one another.

In response to Chairman Bryant, Mr. Kester stated the flea markets have not been held for 10 years.

Mr. Minter questioned what the hours of operation will be on the weekends. Mr. Kester advised that normally during the flea markets individuals show up between 6:30 a.m. and 7:00 a.m., the event starts at 8:00 a.m. and ends between 3:00 p.m. and 4:00 p.m. He stated American Legion representatives remain onsite to ensure all parties have left safely.

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In response to Mr. Minter, Mr. Kester advised that they want to extend the end time to 6:00 p.m.

Chairman Bryant questioned if setup could occur prior to 8:00 a.m. as long as they do not open prior to 8:00 a.m. Mr. Minter stated that is fine and directed staff to ensure it is included in the Conditions.

In response to Chairman Bryant, Mr. Kester advised that anytime there is amplified music it is done indoors. He stated they do fire rifles when recognizing those who have passed or are serving relating to Veterans Day or Memorial Day services, noting those ceremonies occur after 10:00 a.m. Mr. Kester stated the firing of weapons is amplified, but it only occurs for roughly 10 minutes.

Commissioner Zalak requested a Condition be added allowing for the ceremonies to be conducted indoors or outdoors.

Chairman Bryant opened the floor to public comment.

American Legion, Department of Florida District 4 Commander Darcy Bockman-Wright, SE 12th Lane, stated there are approximately 17 Posts in the District that she is responsible for, noting 5 are within Marion County. Ms. Bockman commented on the revenue generated annually, noting it is not substantial. She advised that the American Legion is here to support the community (children/youth) and not to generate funds. Ms. Bockman-Wright stated the 5 posts located in Marion County donate over \$100,000.00. There are 1,000 active members in Marion County and they are the world's largest 501(c)(3) organization. She requested an exemption from the application fee relating to the SUP.

In response to Commissioner McClain, Mr. Odom advised that the application fee for a Special Events Permit is \$75.00 and is allowed quarterly.

Commissioner McClain stated he is working with Growth Services staff relating to Special Events Permits and questioned if there may be a better way to work the permit to handle these types of cases.

Chairman Bryant advised that the applicant is rolling all of their events into this SUP and there will be no need for a Special Events Permit. This SUP fee of \$1,000.00 is to cover staff's time and the applicant will only submit \$1,000.00 for the initial application, with administrative renewals every 5 years at a cost of \$300.00 for each.

Ms. Bockman-Wright advised that Dunnellon is the only post that is on the west side of the County and provides services to veterans who are unable to travel into town to attend veterans' events.

In response to Chairman Bryant, Mr. Minter stated if the Board waives the SUP application fee for this request, it will have to do the same for other parties that want the exemption.

Chairman Bryant advised that public comment is now closed.

A motion was made by Commissioner Zalak, seconded by Commissioner Curry, to adopt Resolution 25-R-405 approving the SUP request with Conditions 1 through 8 as amended, agreeing with Growth Services staff and the P&Z Commission recommendations, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

Resolution 25-R-405 includes the following Conditions:

1. The Special Use Permit shall run with the Wall-Rives American Legion Post #58. Should the property be sold, sublet, or the use changed, the Special Use Permit shall be terminated.

2. Flea Market operations shall be limited to one weekend per month for a total of twelve per year.
3. Flea market operations shall not begin prior to 8:00 AM and shall end no later than 6:00 PM.
4. A schedule of permitted operations for indoor and outdoor events are as follows, per the approval of the Board of County Commissioners.

January

New Years Day

Indoor outdoor flea market on Saturday and Sunday once per month

February

Four Chaplains Ceremony

Valentine's Day

Indoor Outdoor Flea Market on Saturday and Sunday once per month

March

St Patrick's Day

Vietnam War Veterans Day

Indoor Outdoor Flea Market on Saturday and Sunday once per month

April

Army Day

Former POW Recognition Day

Easter

Indoor Outdoor Flea Market on Saturday and Sunday once per month

May

Military Spouses Day

Mother's Day

Armed Forces Day

Memorial Day

Indoor Outdoor Flea Market on Saturday and Sunday once per month

June

D-Day

US Army Birthday

Father's Day

National PTSD Awareness Day

Indoor Outdoor Flea Market on Saturday and Sunday once per month

July

US Army Air Corps Birthday

Independence Day Fourth of July

Indoor Outdoor Flea Market on Saturday and Sunday once per month

August

US Coast Guard Birthday

Indoor Outdoor Flea Market on Saturday and Sunday once per month

September

9/11 Ceremony

Patriot Day

Auxiliary Birthday

US Air Force Birthday

POW/MIA Recognition Day

Indoor Outdoor Flea Market on Saturday and Sunday once per month

October

US Navy Birthday

Halloween

Indoor Outdoor Flea Market on Saturday and Sunday once per month

November

Election Day

US Marine Corps Birthday

Veterans Day

Thanksgiving

Indoor Outdoor Flea Market on Saturday and Sunday once per month

December

Pearl Harbor Remembrance Day

US Space Force Birthday

Christmas Eve

Christmas Day

Indoor Outdoor Flea Market on Saturday and Sunday once per month

5. The applicant shall adhere to the conceptual plan as presented in this application. Any new structures, other than storage facilities (sheds, barns, etc.) or minor amenities (fire pits, pergolas, small gaming areas, etc.), will necessitate that this Special Use Permit be modified and reheard by the Board of County Commissioners, at the expense of the applicant. In this event, the applicant shall notify the Growth Services Director to indicate that a deviation from the conceptual plan is proposed. Should the applicant neglect this notification, it may result in the revocation of the Special Use Permit.
6. This Special Use Permit does not grant the applicant the right to hold any Special Events that are not listed in this document. Any other event shall have to be separately permitted through Marion County by way of Special Event Permit.
7. Amplified music shall not be permitted unless it is in support of Military Honor or Remembrance services.
8. The Special Use Permit shall expire October 21 , 2030; however, it may be renewed administratively for 5-year periods up to 3 consecutive times by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:

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

1.2.2. 251002SU - Meyer Welch Group, LLC, Special Use Permit to Allow for a Four-Thousand and Five Hundred (4,500) Square Foot Commercial Small Bay Warehouse, in a Community Business (B-2) Zone, 0.73 Acre Parcel, Parcel Account Number 8002-0054-01, No Address Assigned

The Board considered a petition by Meyer Welch Group, LLC, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow for a commercial small bay warehouse, in a Community Business (B-2) zone, on an approximate 0.73 Acre Parcel, on Parcel Account Number 8002-0054-01, No Address Assigned

P&Z PUBLIC HEARING ON SEPTEMBER 29, 2025

251002SU Planning and Zoning Commission Recommendation

Motion was made by Mr. Johnson, seconded by Mr. Gaekwad, to disagree with staff's findings and recommendation, and recommend approval of the land use change based on the following findings of fact:

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

The Motion passed unanimously 4-0.

Planner Erik Kramer, Growth Services, commented on the SUP request to allow for a commercial small bay warehouse, in a B-2 zone.

It was noted that Growth Services Department staff recommend denial; however, the P&Z Commission recommends approval. If the Board grants the SUP, staff recommends the following Alternate Approval Conditions:

1. Access shall come from the alley located along the northern property line. The alley shall be widened and paved for minimum of ten feet past the driveway. The widening and paving shall meet the design standards for a 'Local Subdivision' street as specified in the Land Development Code.
2. A 24' wide paved public cross access easement shall be provided parallel to Marion Oaks Blvd from the northern property line to the southern property line and incorporating the driveway.
3. The loading zones shall be used for loading and unloading only. Outdoor storage is prohibited on-site.
4. Central water and sewer utility connection requirements shall be reviewed and finalized by Marion County Utilities during the Development Review process.
5. The building shall be situated to screen public views of the loading areas from Marion Oaks Blvd.

6. This SUP runs with the property owner (Myer Welch Group LLC) and not with the subject property. Any sale of the property, or change of ownership, will void this SUP, and any new owner seeking to use the property as a storage warehouse, or other use not permitted by right in B-2, will need to apply for a new SUP.
7. The warehouse shall be designed to create visual appeal on all sides of the building and the sense of an active business facing east, towards Marion Oaks Blvd. Architectural design elements are required as follows:
 - a. All sides: Façades must not exceed 15 horizontal feet without providing at least two of the following elements, in addition to any side-specific requirements.
 - i. A window.
 - ii. An offset, reveal, band, cornice, or similar element with a minimum depth of six inches. Architectural treatments on the façade must be continued around the sides of the building visible from a street.
 - iii. Complementary changes in façade surface materials or texture.
 - b. East, facing Marion Oaks Blvd:
 - i. At least one door that opens to the public street. Should a sidewalk along Marion Oaks Blvd be required at the Development Review stage, a footpath – at least 5 feet wide – is required to connect the door to the sidewalk.
 - ii. At a minimum, 30% of the building's frontage shall consist of windows. The required windows shall be located between 2 and 10 feet above finished grade.
8. Architectural elevations showing compliance with this SUP shall be provided during the Development Review and building permitting processes.
9. The storage warehouse use is limited to storing materials, equipment, and goods. Custom work – including but not limited to fabrication, assembly, maintenance, or repair – is not permitted on-site.
10. Chain-link, wire fencing, or security fencing shall not be used on the site.
11. Any violation of these conditions may serve as grounds for the revocation of this Special Use Permit (SUP), as initiated by the Growth Services Director. In addition, the SUP may be subject to revocation under the following circumstances:
 - a. There are unresolved violations of the Land Development Code, the County Code of Ordinances, and/or the conditions of this SUP.
 - b. Property owners within 300 feet of the subject property have submitted complaints to Growth Services or other relevant departments regarding activities conducted under this SUP.

Sergio Cruz, Menadier Engineering, Tech City Circle, Alachua, on behalf of the applicant, advised that the proposed 4,500 square foot (sf) commercial storage facility is intended for service-oriented businesses such as landscaping, plumbing, or Heating, Ventilation, and Air Conditioning (HVAC) companies that require secure space to store equipment and tools. He stated the request is very similar to what is allowed by right in B-2 zoning and much less intense in nature than what exists in the Marion Oaks Boulevard corridor.

Mr. Cruz advised that the project is bounded on 3 sides by public roadways and alleys, the properties to the north and south are zoned B-2, the property to the east is zoned PUD and is currently developed as a church, and the property to the west is government property that currently houses Rapid Infiltrations Basins (RIBs) for sewage disposal. He stated there are several similar and arguably more intense uses than what the applicant is proposing within a 1 mile radius of the subject property. Mr. Cruz advised that B-2 allows a storage warehouse as a permitted use with a valid SUP consistent with Comprehensive Future Land Use (FLU) Policy 2.1.5. He referred to page 8 of staff's report, noting staff's analysis relating to Item 2.c. Mr. Cruz opined that this use would encourage interaction between quasi-public spaces, high-density residential developments, and contemplated recreational amenities. He addressed Item 2.e., noting the building can be adapted for use to house many of the permitted uses within B-2. He commented on staff's evaluation that the McGinley Commerce Park South PUD is a more suitable location; however, the applicant believes this area is primarily intended for large-scale distribution warehouses. Mr. Cruz stated the applicant is not proposing to distribute, they are only proposing to store the uses for the businesses. Land in the commerce park is cost-prohibitive, typically exceeding \$300,000.00 per acre with developers not purchasing anything less than 30 acres. He advised that the applicant feels this request is consistent with FLU Policy 2.1.22. Mr. Cruz addressed Item 2.f in staff's analysis stating the application must ensure adequate services and facilities to timely serve new and existing development. He advised that the proposed storage warehouse would be the first commercial use within the immediate vicinity of the subject property. The project is proposing a connection to central water with the site being eligible for development by providing onsite septic disposal. An additional 5 feet of pavement will be added to the alley north of the subject property boundary from Marion Oaks Boulevard to the end of the driveway as recommended by the Office of the County Engineer (OCE) during the pre-application meeting. This will enhance access to and from the site and meet the standards for the local subdivision street as specified in the LDC. Mr. Cruz commented on Item 2.h., stating the application must protect private property rights. This project fully respects private property rights, meeting all landscape buffers and building setbacks and the building itself shields the loading and unloading areas from the main public roadway (Marion Oaks Boulevard). He addressed staff concerns relating to noise, noting Marion Oaks Boulevard has an average of 16,000 vehicles travelled per day according to FDOT. Mr. Cruz opined that this traffic is likely to create far more noise than anything this project would generate. He stated based on the information provided he believes the application is consistent with the 5 items listed on staff's report and overall feel the application is consistent with FLUE Goal 1. Mr. Cruz commented on the Type C landscape buffer required along the north boundary of the site, which runs adjacent to the alley off Marion Oaks Boulevard. He advised that the applicant initially planned to request a waiver during the site plan review process to reduce the buffer width from 15 feet to 10 feet along the portion where the building faces the north side of the property boundary, which represents a small section of the overall 315 foot north boundary. The remainder of that boundary, as well as the east side, will maintain a 15 foot Type C buffer as required. Mr. Cruz stated the requested reduction is only where the building and the concrete pad for the door is currently offset by 10 feet, which would aid in avoiding the need to shrink the building footprint. He advised that after discussion with staff, it was agreed that addressing the buffer as a Condition of approval would potentially be a straight forward solution. Mr. Cruz commented on the applicant's proposed Condition relating to the north boundary buffer,

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noting it is the only deviation from the LDC the applicant is requesting. He stated the applicant is still providing all plantings required and enhanced landscaping in the form of a continuous hedge along the north and east boundaries, in addition to variety and shade in understory trees. Mr. Cruz advised that it is his belief that the application already satisfies 8 of the 11 Conditions staff have proposed. He requested Condition 1 be amended to read, "The alley shall be widened and paved to the end of the driveway", rather than 10 feet past the driveway. The intent is to avoid unnecessary construction costs particularly since the alley does not currently connect to any other developed parcels. Mr. Cruz commented on Condition 6 and requested the language be changed by removing the phrase, "change of ownership". He requested Condition 7.b.i. be removed, noting this is not intended to be a store front facility. Mr. Cruz advised that adding a door would not serve a purpose as there are not currently sidewalks along this section of Marion Oaks Boulevard. Condition 7.b.ii. requires that at least 30% of the building's frontage consists of windows. He stated the applicant is requesting to reduce this requirement to 10%. The east frontage is roughly 1,200 sf, which means that meeting the 30% standard would require approximately 18 windows if each were roughly 20 sf in size. Mr. Cruz advised that amount of glazing would limit the ability to adapt the interior layout of the building for future uses and reduce flexibility relating to how the space can function. He referred to the renderings as seen on the overhead screens depicting how the building would appear with 10% glazing, noting they have been provided by the owner. Mr. Cruz provided a brief overview of the details relating to the proposed structure, landscape and buffers.

Chairman Bryant opened the floor to public comment.

Florence Charbonneau, SW 49th Court, expressed concern relating to the proposed project's access point, proximity to a community center, and the lack of compatibility with the surrounding community.

Chairman Byant advised that public comment is now closed.

Commissioner Zalak opined that this is the wrong location for the project.

A motion was made by Commissioner Zalak, seconded by Commissioner Stone, to deny the SUP to allow for a 4,500 sf Commercial small bay warehouse, in a B-2 Zone, agreeing with Growth Services staff and disagreeing with the P&Z Commission recommendations, based on findings that the proposed use is not compatible with surrounding land uses, is not consistent with the Comprehensive Plan and will adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

1.2.3. 251004SU - Kevin and Barbara Marovich, Special Use Permit to Allow for a Mini Farm Operation, in a Single-Family Dwelling (R-1) Zone, 11.78 Acre Parcel, Parcel Account Number 36142-000-00, Site Address 7600 S Magnolia Avenue, Ocala, FL 34476
The Board considered a petition by Barbara & Kevin Marovich, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow for mini farm operations, in a Single-Family Dwelling (R-1), on an approximate 11.78 Acre Parcel, on Parcel Account Number 36142-000-00, Site Address 7600 South Magnolia Avenue, Ocala, FL 34476

P&Z PUBLIC HEARING ON SEPTEMBER 29, 2025

251004SU Planning and Zoning Commission Recommendation

Motion was made by Mr. Gaekwad, seconded by Mr. Johnson, to agree with staff's findings and recommendation, and recommend approval of the land use change based on the following findings of fact:

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

The motion passed, 3-1, with Mr. Bonner dissenting.

Planner Jared Rivera-Cayetano, Growth Services, advised that the applicant has requested a continuation.

Kevin Marovich, South Magnolia Avenue, stated he is requesting this matter be continued due to an injury suffered by his wife, noting he is unsure if the Conditions can be met timely without her assistance. He commented on recent changes to the Conditions that he is not comfortable with at this time.

In response to Chairman Bryant, Mr. Marovich advised that a 3 month continuance will be fine.

Chairman Bryant questioned the date of the January zoning meeting. Ms. Straub stated January 20, 2026 is a certain date and perhaps there will be an additional day added on January 21, 2026.

Mr. Minter advised that the matter should be continued to a date certain for the benefit of individuals that are present today relating to this Item.

In response to Chairman Bryant, Ms. Straub clarified that January 20, 2026 is a Tuesday. It was the general consensus of the Board to continue this matter to Tuesday, January 20, 2026.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval of the Special Use Permit with the following Conditions:

1. The site shall be developed and operated consistent with the concept plan.
2. A Major Site Plan, or a Stormwater Compliance waiver consistent with Section 2.10 of the Marion County Land Development Code (LDC), shall be required at the time of development.*
3. The Special Use Permit shall run with the property owner, Kevin and Barbara Marovich.
4. No commercial sales shall occur within the subject property, nor shall any advertising be permitted within the subject property boundary.
5. Ingress/egress for all activity related to manure and/or sales shall be limited to S Magnolia Avenue. Access from S Magnolia Avenue shall be limited to a single apron.
6. The Manure Storage Area shall, at the very least, be contained within a fully enclosed receptacle at least ~~twenty-five (25) feet from the subject property boundary~~ 100 feet from all residential structures. The receptacle shall face toward the interior of the subject property.**
7. A 20-foot landscaping buffer shall be installed along PID 36166-000-00. The buffer shall consist of hedges and a four-foot decorative fence. The hedges shall reach a minimum height of six (6) feet within two (2) years. The existing wooden fence on the subject property may be used in lieu of a new fence.
 - a. To the greatest extent possible, existing trees within twenty (20) feet of the subject property boundary shall be preserved to provide a "natural buffer" between the subject property and adjacent properties. Only trees within ten (10) feet of the subject property boundary shall be preserved when adjacent to the proposed driveway bifurcation.
8. All fences shall be located along or within the subject property boundary.

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9. All accessory structures shall meet twenty-five (25) feet setbacks from residentially-zoned properties. Accessory structures may use eight (8) foot setbacks from agriculturally-zoned properties.
 - a. ~~A dwelling unit for an agricultural employee shall be permitted in lieu of a guest cottage. The unit shall meet Florida Building Code (FBC) as required for all residential structures in Single Family Dwelling (R-1) zoning.**~~
 - b. Beehives and other structures Beehives and other structures for the purpose of beekeeping shall meet twenty-five (25) feet setbacks from all properties.
10. Up to forty (40) chickens shall be permitted within an 800 square-foot chicken coop. Chickens shall be contained within a fully enclosed chicken coop and/or fenced pen area at all times, subject to the following conditions:
 - a. The coop and fenced pen area shall be setback twenty (20) feet from any adjacent residential unit.
 - b. The coop and pen area shall be kept in a clean sanitary manner, free of insects and rodents, offensive odors, excessive noise, or any other condition that may constitute a nuisance.
 - c. Stored feed shall be secured in metal containers to prevent mice and other pests.
 - d. No routine slaughtering of the hens shall be allowed on the subject site.
11. Up to three (3) horses or miniature cows, OR up to six (6) sheep or goats, shall be permitted on at least two (2) acres of pasture area, with feed to be supplemented by hay.
12. The Special Use Permit shall expire on October 21, 2028; however, it may be renewed administratively three times for three years each by written instrument signed and issued by the Growth Services Director (or designee), 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 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
 - c. The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or equivalent review process at the time).

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to continue this Item to Tuesday, January 20, 2026. The motion was unanimously approved by the Board (5-0).

Chairman Bryant opened the floor to public comment.

William Schaeffer, SW 74th Lane, did not appear when called upon to speak.

Amy Morris, SW 5th Avenue, presented a 6 page handout containing a rendering and photographs. She expressed concern relating to the placement of water tanks and the proximity of a recreational vehicle (RV) to her property.

In response to Chairman Bryant, Ms. Morris stated the applicant will not have a conversation with her.

Patrick Deck, SW 5th Avenue, addressed the placement of the applicant's gate, the unwillingness of the applicant to speak to neighboring residents, comments in regard to Mr. Deck placing hedges on his own property, ensuring Mr. Marovich keeps his rainwater on his property and rats.

Toni Leitner, SW 74th Lane, stated she has resided at her home since 2008, noting her property site is lower than Mr. Marovich's. She commented on the flood-prone nature of the area, the need to fill her back yard with soil every year, and protection of ground water from runoff relating to fertilizers and animal waste.

Commissioner Curry out at 2:51 p.m.

Titus Scott, SW 5th Avenue, addressed rumors relating to the project,

Commissioner Curry returned at 2:53 p.m.

Mr. Scott commented on a conversation he had with the applicant, and the plantings Mr. Deck and Ms. Morris have added to their driveway ROW.

Kimberly Scott, SW 5th Avenue, expressed support for the project, noting the flooding in the area has occurred for years. She commented on the plantings on Mr. Deck and Ms. Morris' property.

Chairman Bryant stated Mr. Deck and Ms. Morris have an easement that runs between the Scott and Marovich properties.

In response to Chairman Bryant, Ms. Scott advised that the plantings are on the west side of Mr. Deck and Ms. Morris' property, which is contiguous to her parcel.

Chairman Bryant stated Mr. Deck and Ms. Morris have a right to place the plantings there; however, she is unsure why they would want them in that location. She advised that the applicant and other parties present are neighbors and should have a conversation to work out their differences.

Janet Caissey, SW 74th Lane, expressed opposition to the SUP request, noting health concerns relating to water safety due to agricultural runoff.

Chairman Bryant commented on a proposed Condition that would require the applicant to store manure and then have it removed from the property. She stated anyone who would like all of the documentation relating to this applicant can call the Commission Office and request the data.

Chairman Bryant advised that public comment is now closed.

(Ed. Note: The Deputy Clerk was in receipt of Ms. Morris' handout and a 1 page letter dated October 20, 2025 to Chairman Bryant from Marion County Sheriff's Office (MCSO) Investigator Justin McClure.)

1.3. Adoption of Ordinance

1.3.1. 25-S13

A motion was made by Commissioner Stone, seconded by Commissioner Zalak, to adopt Ordinance 25-48 adopting Small Scale Comprehensive Plan Amendment No. 25-S13, agreeing with the Growth Services staff and the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, FS and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (5-0).

Ordinance 25-48 is entitled:

October 20, 2025

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA; ADOPTING THE FOLLOWING SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF THE MARION COUNTY COMPREHENSIVE PLAN:

25-S13, STEPHEN & TASHA CURRY

+/- 0.53 ACRE PARCEL

PARCEL NO. 2304-022-028

FROM MEDIUM RESIDENTIAL TO HIGH RESIDENTIAL PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

1.3.2. The Deputy Clerk presented Affidavits of Mailing and Posting of Notices received from Growth Services Director Charles Varadin and Deputy Clerk Mills-McAllister regarding petitions for rezoning and Special Use Permits heard earlier in the meeting. A motion was made by Commissioner McClain, seconded by Commissioner Zalak, to adopt Ordinance 25-49 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (5-0).

Ordinance 25-49 is entitled:

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

There being no further business to come before the Board, the meeting thereupon adjourned at 3:06 p.m.

Kathy Bryant, Chairman

Attest:

Gregory C. Harrell, Clerk