

## 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**, an application 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 application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, June 2, 2026. Now, therefore,

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

1. **SECTION 1. SPECIAL USE PERMIT APPLICATION 260501SU** – Ward-Merrill, LLC, the application requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Adam Merrill, Gainesville, FL 32601, to allow for an accessory structure on the property without a primary residence, in a Single-Family Dwelling (R-1) zone, on an approximate 1.64 Acre Parcel, on Parcel Account Number 4938-001-001, No Address Assigned

**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 Special Use Permit authorizes the placement of an accessory structure for non-habitable purposes, which shall be located consistent with the submitted concept plan to accommodate the construction of a new single-family residence upon the subject property.
2. The Special Use Permit shall be contingent upon the ownership of the subject property, which shall remain under the ownership of Ward-Merrill, L.L.C and Raymond C. Merrill. The Special Use Permit shall also be contingent upon the ownership of PID 4938-001-000, across the SE 138th Terrace right-of-way to the west of the subject property, which shall remain under ownership of Merrill C Raymond Family Trust and Raymond C. Merrill. Should either property change in ownership/management, the accessory structure shall be removed from the subject property, unless otherwise approved through a new Special Use Permit.
  - a. The Special Use Permit shall terminate upon the construction of a single-family residence within the subject property.

3. Eight (8) foot setbacks from all subject property boundaries shall be observed for the siting of any accessory structure.
4. A vegetative buffer along the eastern and southern subject property boundaries, approximately twenty-five (25) feet in width, shall be maintained, unless and until the construction of a single-family residence.
5. No well or septic permits shall be authorized for the subject property unless or until a primary residence is established.
6. The storage of all personal goods and material shall be maintained within the proposed accessory structure.
7. Outdoor ground and building lighting shall not cast direct light on adjacent properties.
8. The Special Use Permit shall expire on May 19, 2031; 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:
  - 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).

**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 2<sup>nd</sup> day of June 2026.

**ATTEST:**

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

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GREGORY C. HARRELL, CLERK

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CARL ZALAK, III, CHAIRMAN