



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&ZC Date: 04/27/2026	BCC Date: 05/19/2026
Case Number:	260505SU
EPL Plan Number:	PL SUP-000422-2026
Type of Case:	Special Use Permit for a construction/contractor yard in a B-4 zoning.
Owner	FCH Properties, LLC.
Applicant	Robert W. Batsel, Jr.
Street Address	13866 S. US Hwy 441
Parcel Number	45458-002-03
Property Size	±5.02-acres
Future Land Use	Commercial (COM)
Zoning Classification	Regional Business (B-4)
Overlay Zone/Scenic Area	Secondary Springs Protection Overlay Zone (S-SPOZ)
Staff Recommendation	Approval with conditions
P&ZC Recommendation	Approval with conditions (on consent, 4-0)
Project Planner	Kathleen Brugnoli, Planner
Related Case(s)	180104Z: M-1 to B-4 – approved

I. ITEM SUMMARY

Robert W. Batsel, Jr., on behalf of FCH Properties, LLC., has filed an application for a special use permit to allow for a construction/contractor yard in a Regional Business (B-4) zoning classification (see Attachment A). Figure 1 is an aerial photograph showing the location of the subject property. The Property Identification Number associated with the property is 260505SU, the site address is 13866 S. US Hwy 441, and the legal description is displayed on the deed included as part of the application. The subject property is located within the Silver Springs Secondary Protection Overlay Zone (S-SPOZ) and outside the Urban Growth Boundary (UGB).

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 five (5) property owners on April 10, 2026. 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 April 10, 2026, and consistent with LDC Section 2.8.3.E. due public notice was published online on Marion County's website under Legal Notices on April 13, 2026. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference.

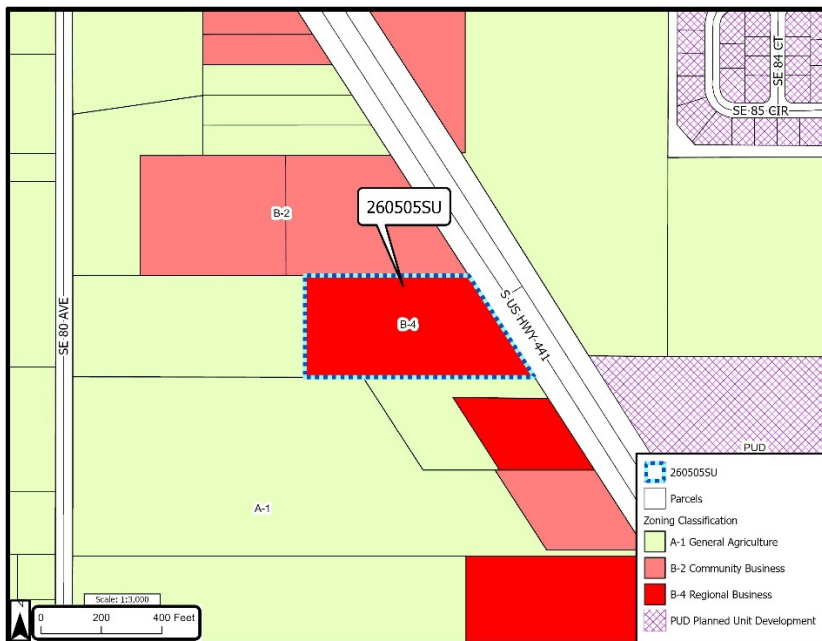
IV. BACKGROUND/CHARACTER OF THE AREA

- 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 property is currently listed as Commercial by the Marion County Property Appraisers (MCPA) office. The surrounding area is Commercial to the north and south, the north being vacant and the south being a veterinary clinic, with Agriculture to the west and vacant commercial and Agriculture to the east. This parcel was previously Travel Camp RV, which offered RV sales and service.

A site visit was conducted on April 10, 2026, to post public notice and photograph the property (Attachment B). The property has two existing buildings on-site, paved/lined parking, and a fence surrounding the entire property. The building closest to the highway was used as an office for the RV sales business that utilized the property prior to this request with the building to the rear having multiple roll-up bay doors for RV service and repair. The site previously went through the major site plan process with Development Review Committee (DRC) and includes a large water retention area at the rear (west) end of the property.

- B. *Zoning district map.* Figure 2 shows the subject property designated as Regional Business (B-4), with all surrounding properties being General Agriculture (A-1), Community Business (B-2), Regional Business (B-4), and Planned Unit Development (PUD).

Figure 2
Zoning Classification



C. *FLUMS designation.* Figure 3 is the FLUMS and shows the subject property as Commercial (COM) land use (0-8 du/ac; 1.0 FAR) with similar land use to the north, south, and southeast, and Rural Land (RL) to the west and northeast.

Figure 3
Future Land Use Map Series

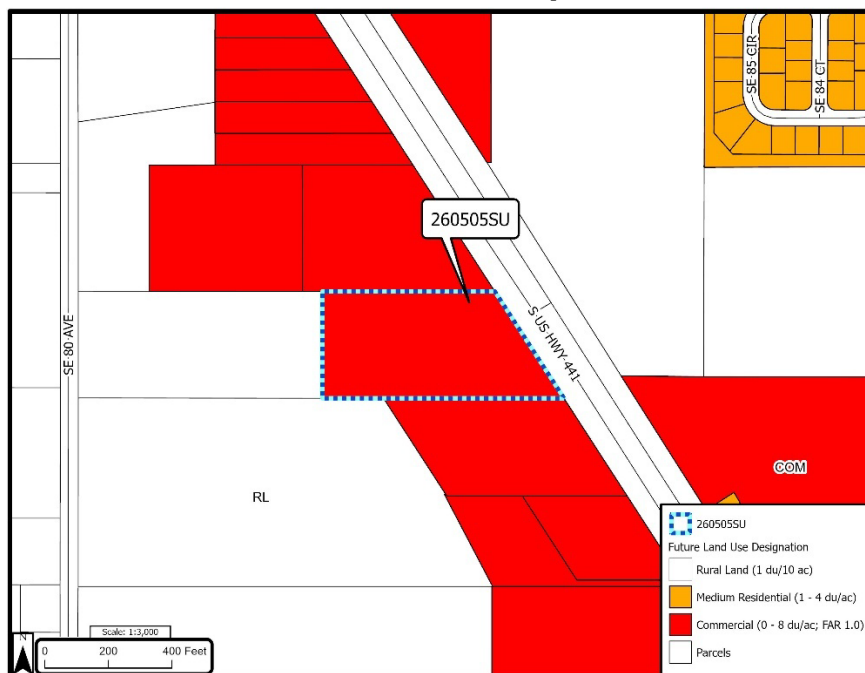
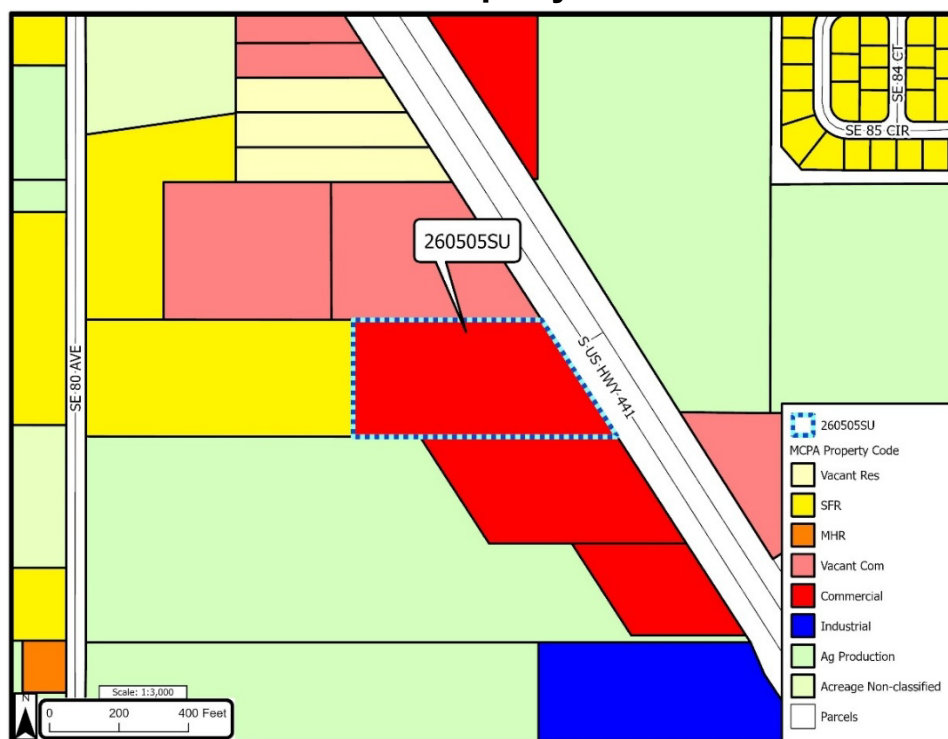
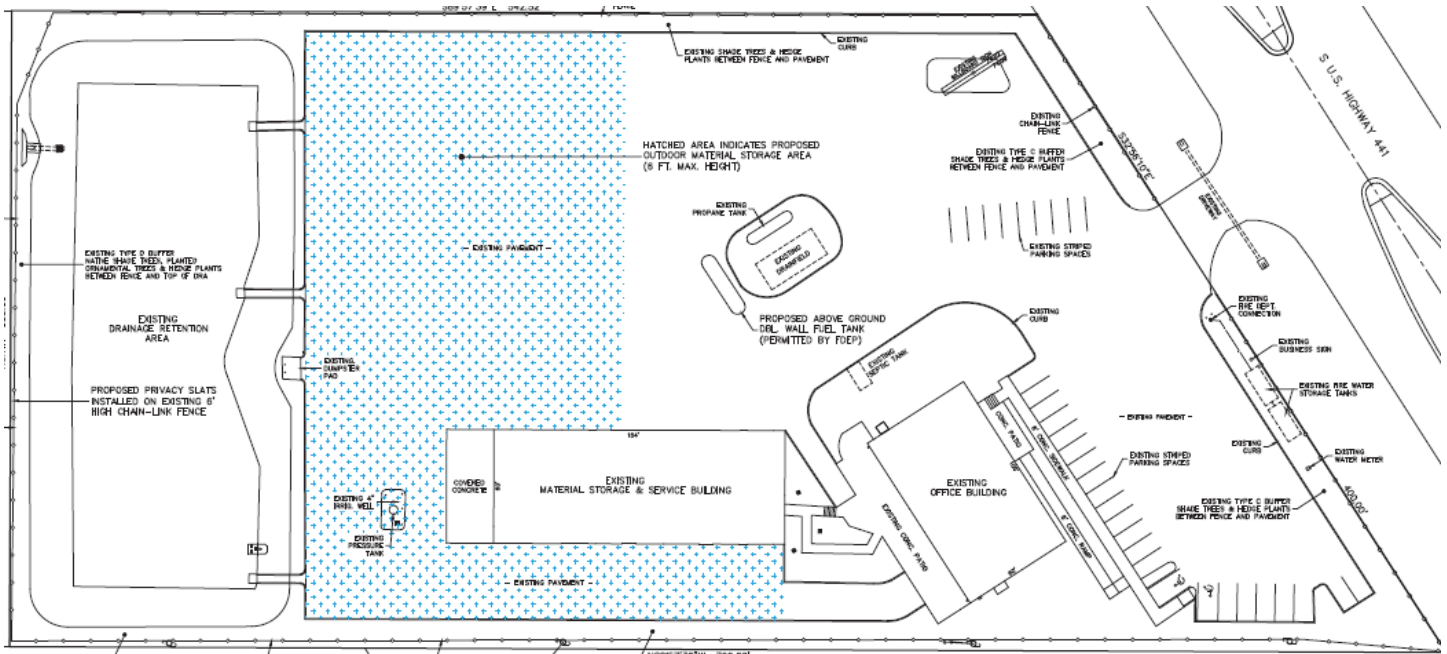


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUMS	Zoning	Existing Use
Site	Commercial (COM)	Regional Business (B-4)	Vehicle Sales & Repair
North	Commercial (COM)	Community Business (B-2)	Vacant Commercial
South	Commercial (COM)	General Agriculture (A-1)	Professional Services
East	Rural Land (RL) Commercial (COM)	General Agriculture (A-1) Planned Unit Development (PUD)	Grazing Land Vacant Commercial
West	Rural Land (RL)	General Agriculture (A-1)	Residential

Figure 4
MCPA Property Uses



**Figure 5
Conceptual 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: There is an existing driveway from S US Hwy 441 on to the site providing for ingress/egress. 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: There is already existing off-street parking provided as was required with the previous commercial use on this site. The parking spaces area paved and lined with handicapped accessible spaces being provided as well. Loading will take

place to the “rear” of the property behind the existing buildings. The concept plan provided in Attachment A Page 21 illustrates the parking and loading areas. The application is **consistent** with provisions for off-street parking and loading areas as well as noise.

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

Analysis: The applicant, if the SUP is approved, will contract with a waste collection service for regular removal of refuse. The application is **consistent** with this provision.

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

Analysis: Electric in the area is provided by Duke and the property has existing well and septic. Staff concludes the application is **consistent** with the provision of utilities.

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

Analysis: The findings of facts provided state that the buffering, landscaping, and screening were developed pursuant to the major site plan that was approved in 2019 for the RV dealership that previously occupied the site (Attachment C). DRC comments from Landscape review state, “Current street view imagery shows buffers do not comply with what is listed on the proposed plan. All buffers would require compliance with the previously approved site plan AR 23191, unless otherwise directed by the BOCC.” Provided that buffers required with the major site plan are met, the application is **consistent** with the provision of screening and buffering.

- The property shall maintain existing buffers and fill in any gaps to meet or exceed the buffer requirements of the Major Site Plan Improvements approved by the County pursuant to Application Request (AR) No. 23191.
- Areas used for outdoor storage shall be screened by opaque fencing at least 6’ in height

- 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: The property contains existing signage and lighting. There are no additional signs proposed, the existing sign is planned to be modified to reflect the new business and permitting will go through Building Safety. Additional lighting is also not being proposed, but if it is wanted in the future, the applicant will need to provide a photometric plan in accordance with the LDC. It is concluded that the application is **consistent** with the signs and exterior lighting requirements of this section.

- A photometric plan shall be provided during the Development Review Phase if additional lighting is proposed to be added to the site.

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

Analysis: The site is already developed and was previously occupied by a commercial use. No additional structures are proposed, and any future additions will trigger a site plan review which will verify compliance with the LDC.

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. While the report and proposed conditions establish compatibility, the applicant is proposing a few conditions of their own to ensure compatibility with the surrounding area.

- Stacking of materials outdoor shall be limited to a maximum height of six (6) feet.
- Any additional improvements shall be separately permitted pursuant to the LDC and any other governmental regulations.
- No manufacturing, fabrication, or processing of materials shall occur at the property. All construction activities shall take place at off-site project locations.
- Applicant shall operate the site in a manner that reduces the need for backing movements, including use of pull-through circulation patterns where feasible, and otherwise use its best efforts to reduce noise during late night and early morning hours.

An additional condition was proposed by the applicant stating, “The special use permit shall be effective for a period of 50 years. The Special Use permit may be renewed for two additional 20-year periods by the Director of Growth Services. Staff has concerns with this condition because a change of ownership for the property in addition to a change in tenant possible within that long of a time frame may mean conditions are unknown and not adhered to. Staff proposes an amended condition referencing the time frame of the SUP request.

- This site shall be developed consistent with the proposed conceptual plan.
- The Special Use Permit runs with Chinchor Electric, Inc., and not the property.

- 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. The subject property will require a site plan review before additional development commences. The site plan will ensure that the development is consistent with the Land Development Code. Staff concludes that no special requirements are needed beyond the conditions provided in this report.

- 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 4.3.25(D) allows for Special Use Permits for telecommunication towers. Table 4.2-5 “Commercial Zoning Classification Permitted and Special Uses Table” provides that a construction or contractor yard is a special use that can be requested within a B-4 zoning classification. 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, and with the provided conditions to attempt to address the ten (10) requirements imposed.

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 property shall maintain existing buffers and fill in any gaps to meet or exceed the buffer requirements of the Major Site Plan Improvements approved by the County pursuant to Application Request (AR) No. 23191
 2. Areas used for outdoor storage shall be screened by opaque fencing at least 6' in height.
 3. A photometric plan shall be provided during the Development Review Phase if additional lighting is proposed to be added to the site.
 4. Stacking of materials outdoor shall be limited to a maximum height of six (6) feet.
 5. Any additional improvements shall be separately permitted pursuant to the LDC and any other governmental regulations.
 6. No manufacturing, fabrication, or processing of materials shall occur at the property. All construction activities shall take place at off-site project locations.
 7. Applicant shall operate the site in a manner that reduces the need for backing movements, including use of pull-through circulation patterns where feasible, and otherwise use its best efforts to reduce noise during late night and early morning hours.
 8. This site shall be developed consistent with the proposed conceptual plan.
 9. The Special Use Permit runs with Chinchor Electric, Inc., and not the property.
 10. The Special Use Permit shall expire on May 19, 2036; however, it may be renewed administratively one time for 10 years 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 such complaint results in a finding of noncompliance by the Code Enforcement Board; 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)

VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

Approval with conditions (on consent agenda, 4-0).

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. SUP application.
- B. Site Photos.
- C. Historic Landscape Plans.
- D. DRC Comments.
- E. Surrounding Property Owner Map.