

MINUTES

MARION COUNTY BOARD OF ADJUSTMENT **May 4, 2026**

A public hearing of the Marion County Board of Adjustment was held on May 4, 2026, at 2:00 p.m. in the Marion County Growth Services Training Room, 2710 E. Silver Springs Boulevard, Ocala, Florida.

The meeting was called to order at 2:00 p.m. Members present, creating a quorum, were Chairman Donald Barber, Vice Chairman C. Cadell Hager, Len Racioppi, Jackie Alsobrook, Samuel Hunt, Zilca Diaz and George Thorn, Jr. Staff members present were: Assistant County Attorney Linda Blackburn, Director Chuck Varadin, Deputy Director Ken Weyruach, Planners Erik Kramer, Jared Rivera and Kathleen Brugnoli, GIS Technician Analyst Antony Alva, and Administrative Staff Assistant Kimberly Lamb.

George Thron, Jr. delivered the Invocation, followed by Zilca Diaz leading the Pledge of Allegiance.

Chairman Barber and Attorney Blackburn explained the procedures for hearing variance requests, and Attorney Blackburn administered the Oath en masse.

Kimberly Lamb proceeded by reading the provided Affidavit of Publication and the Proof of Required Mailing and Posting of Notice and advised that the meeting was properly noticed.

2.1. 260401V – Betty Jo and Mealy W. Reed, Jr., request a **Variance** in accordance to Section 2.9 of the Marion County Land Development Code, to reduce the front (Lakeside) setback from 75' to 55' for a pool and deck, in a Single-Family Dwelling (R-1) zone, on Parcel Number 45568-000-00, Site Address 10410 SE 138th Place Road, Summerfield, FL 34491

Jared Rivera presented the case and read the report into the record, stating this request is to reduce the front (Lakeside) setback for a pool and deck.

13 homeowners were notified within 300' of the parcel. No letters of support or opposition were received.

Ed Abshire, 5614 SE 111th Street, Belleview, Ocala 34420, agent, addressed the board. Mr. Abshire explained that other properties have been given variances for the same reasons. He also stated that it's the best spot for the pool and deck.

There was no one in the audience to speak for or against the request, and the chair closed the public portion of the hearing.

C. Cadell Hager made a motion to **approve** the variance as requested and moved that, having heard competent, substantial evidence, the Board finds that: 1. A special condition or circumstance exists on the property that does not exist on other properties within the same zoning and land use area; 2. The applicant did not cause the special condition or circumstance; 3. Literal enforcement of the regulations would create unnecessary and undue hardship and deprive the applicant of rights commonly enjoyed by other properties within the same zoning and land use area; 4. The variance is the minimal variance that will allow reasonable use of the property; 5. The variance will not confer any special privilege on the applicant that is denied to other properties within the same zoning and land use area; and 6. The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare, and the Board grants the variance.

Len Racioppi made a motion to second.

Motion to Approve - Passed 5 to 1, with Jackie Alsobrook dissenting.

2.2. 260402V – Brite Properties of Florida, LLC, requests a **Variance** in accordance to Section 2.9 of the Marion County Land Development Code, to reduce the (Front) setback from 25' to 20' for 46 parcels, in a Single-Family Dwelling (R-1) zone, on Parcel Account Numbers 8002-0072-01, 8002-0074-01, and Various Others, Site Addresses Various Parcels in Marion Oaks Unit 2 Subdivision, Ocala, FL 34473

Erik Kramer presented the case and read the report into the record, stating this request is to reduce the (Front) setback from 25' to 20' for 46 parcels.

124 homeowners were notified within 300' of the parcel. No letters of support or opposition were received.

Austin Daly, 40 SE 11th Avenue, Ocala, FL 34471, agent, addressed the board. Mr. Daly explained that the code was amended in April 2024 and now specifies a 20-foot setback requirement. His clients relied on this updated information, completed their due diligence, and obtained stamped plans reflecting approval of the 20-foot setback. However, the County has since informed the clients that they must obtain a variance to reduce the required setback from 25 feet to 20 feet.

Brandy Smith, 312 Marion Oaks Boulevard, Ocala, FL 34473, addressed the board. Her concerns relate to the adjacent community and the potential impacts on the surrounding neighborhood. Approximately 70 homes are being constructed, and she is questioning whether the requested variance would affect those homes.

The chair closed the public portion of the hearing.

Donald Barber made a motion to **approve** the variance as requested and **to include the additional Special Condition of: this variance will not apply to the replacement or substantial rebuilding** and moved that, having heard competent, substantial evidence, the Board finds that: 1. A special condition or circumstance exists on the property that does not exist on other properties within the same zoning and land use area; 2. The applicant did not cause the special condition or circumstance; 3. Literal enforcement of the regulations would create unnecessary and undue hardship and deprive the applicant of rights commonly enjoyed by other properties within the same zoning and land use area; 4. The variance is the minimal variance that will allow reasonable use of the property; 5. The variance will not confer any special privilege on the applicant that is denied to other properties within the same zoning and land use area; and 6.

The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare, and the Board grants the variance.

Samuel Hunt made a motion to second.

Motion to Approve with Special Conditions, the reduced setback granted will not apply to the replacement or substantial rebuilding. - Passed 6 to 0.

2.3. 260501V – Vickie Sue Rudasil and Paula Rudasil, request a **Variance** in accordance to Section 2.9 of the Marion County Land Development Code, to reduce the (side) setback from 8' to 2'9" for an existing RV carport in a Mixed Residential (R-4) zone, on Parcel Account Number 00359-005-01, Site Address 16825 NE 243rd Place Road, Fort McCoy, FL 32134

Jared Rivera presented the case and read the report into the record, stating this request is to reduce the (side) setback from 8' to 2'9" for an existing RV carport.

6 homeowners were notified within 300' of the parcel. No letters of support or opposition were received.

There was no one in the audience to speak for or against the request, and the chair closed the public portion of the hearing.

C. Cadell Hager made a motion to **approve** the variance as requested and **to include the additional Special Condition of: Building permit to be completed for the RV carport** and moved that, having heard competent, substantial evidence, the Board finds that: 1. A special condition or circumstance exists on the property that does not exist on other properties within the same zoning and land use area; 2. The applicant did not cause the special condition or circumstance; 3. Literal enforcement of the regulations would create unnecessary and undue hardship and deprive the applicant of rights commonly enjoyed by other properties within the same zoning and land use area; 4. The variance is the minimal variance that will allow reasonable use of the property; 5. The variance will not confer any special privilege on the applicant that is denied to other properties within the same zoning and land use area; and 6. The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare, and the Board grants the variance.

Zilca Diaz made a motion to second.

Motion to Approve with Special Conditions, the reduced setback granted, and the building permit to be completed for the RV carport. - Passed 5 to 0.

OTHER BUSINESS:

- Richard Stout, 3445 NE 24th Street, Ocala, FL 34470, brought to the board's attention that his client received a fraudulent email.
- Chairman Donald Barber requested that the training links be sent to the board members.

MINUTES: None

ADJOURNED: The meeting adjourned at 3:48 p.m.

Donald M. Barber, Chairman

Attest:

Kimberly Lamb, Administrative Staff Assistant

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