

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 260505SU** – FCH Properties, LLC, the petition requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Robert W. Batsel, Jr., Ocala, FL 34471, to allow construction or contractor yard, in a Regional Business (B-4) zone, on an approximate 5.02 Acre Parcel, on Parcel Account Number 45458-002-03, Site Address 13866 S. US Highway 441, Summerfield, FL 34491

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 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
 - a. North: 10' Buffer with at least four shade trees for every 100 lineal feet or fractional part thereof with a row of shrubs along the entirety of the northern boundary line. The northeastern area directly north of the billboard shall install four (4) crepe myrtle trees grouped in pairs in lieu of planting shade trees that would block visibility to the billboard.
 - b. East: 15' C-Type Buffer with at least 8 crepe myrtle trees grouped in pairs of four along northeastern frontage of HWY 441 in lieu of shade trees that would block visibility to billboard and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer and form a layered landscape screen with a minimum height of three feet achieved within one year.

Southeastern frontage along HWY 441 to have the standard C-Type buffer that includes two shade trees every 100 lineal feet.

- c. South: 15' D-Type Buffer (modified) western 443' abutting agricultural use shall install 18 crepe myrtle trees, grouped in pairs, in lieu of shade trees, with standard three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer. Eastern 318' to be 15' wide with 12 crepe myrtle trees grouped in pairs in lieu of shade trees with shrubs along the eastern portion abutting commercial.
 - d. West: 15' D-Type Buffer (modified) with 6' high black coated chain link fence with a planting of 108 confederate jasmine along the west side of the entire western agricultural use with LDC required buffer plantings, at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer, being allowed within the interior (eastern) side of the buffer area fence
2. Areas used for outdoor storage shall be screened by opaque fencing at least 8' 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. This site shall be developed consistent with the proposed conceptual plan.
 8. The Special Use Permit runs with the property owner, FCH Properties, LLC., and not the property.
 9. 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 19th day of May, 2026.

ATTEST:

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

GREGORY C. HARRELL, CLERK

CARL ZALAK, III, CHAIRMAN

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