

ORDINANCE NO. 26-03

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

WHEREAS, petition(s) for Special Use Permits and Zoning Changes were duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on September 29, 2025 (251004SU), and December 29, 2025; and

WHEREAS, the aforementioned petitions were considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, January 20, 2026; and

WHEREAS, the Board of County Commissioners of Marion County, Florida (Board), is responsible for and has established the zoning of parcels of property in the unincorporated area of Marion County as reflected on the official Zoning Map, and

WHEREAS, property owner(s) have submitted petition(s) for rezoning, and/or special use permits, and such applications identify the property by metes and bounds description or by the Marion County Property Appraiser parcel number, and such identifications of property are hereby incorporated into this ordinance by reference, and

WHEREAS, the Board has considered the denial recommendation of 260101SU and approval recommendations for 251004SU and 260107ZP of the Marion County Planning and Zoning Commission and has conducted the necessary public hearing, and has approved the applications contained in this ordinance. The Board has determined that each application will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Now therefore,

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

SECTION 1. REZONING, AND SPECIAL USE PERMIT APPROVALS. The Board hereby approves the below-listed applications for Rezoning and Special Use Permits. NOTE: The terms and conditions of Board approvals of the Special Use Permits and Planned Unit Developments are stated in the Board Resolution corresponding to each Special Use Permit and Planned Unit Development Petition shown below.

ATTACHMENT B

1. **AGENDA ITEM 15.3.1. 251004SU** – Barbara & Kevin Marovich, Special Use Permit to allow for a mini farm operation, in a Single-Family Dwelling (R-1) zone, on an approximate 11.78 Acre Parcel, on Parcel Account Number 36142-000-00, Site Address 7600 South Magnolia Avenue, Ocala, FL 34476

Subject to all terms and conditions of Resolution 26-R-20 attached hereto and incorporated herein by reference.

2. **AGENDA ITEM 15.3.2. 260101SU** – Alain Alberto Gonzalez and Darianny Serrano Mulet, Special Use Permit to allow for parking of two (2) commercial dump trucks, in a General Agriculture (A-1) zone, on an approximate 4.58 Acre Parcel, on Parcel Account Number 3499-000-007, Site Address 10750 SW 105th Street, Ocala, FL 34481

Subject to all terms and conditions of Resolution 26-R-21 attached hereto and incorporated herein by reference.

3. **AGENDA ITEM 15.3.4. 260107ZP** – Midway 65 LLC, Zoning Change from Single-Family Dwelling (R-1) to Planned Unit Development (PUD) zone, for a maximum proposed total of 329 Single-Family residential units, on an approximate 110.14 Acre Parcel, on Parcel Account Number 9027-0000-02, No Address Assigned

Subject to all terms and conditions of Resolution 26-R-22 attached hereto and incorporated herein by reference.

SECTION 3. EFFECTIVE DATE. A copy of this Ordinance as enacted shall be filed by the Clerk of the Board by email with the Office of the Secretary of State of Florida within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official acknowledgment from the Secretary of State that this Ordinance has been filed with such office.

DULY ADOPTED in regular session this 20th day of JANUARY, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA



GREGORY C. HARRELL, CLERK



CARL ZALAK, III, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY OF STATE ON JANUARY
28, 2026 ADVISING ORDINANCE WAS FILED ON JANUARY 28,
2026.

RESOLUTION NO. 26-R-22

**A RESOLUTION OF THE BOARD OF
COUNTY COMMISSIONERS OF MARION
COUNTY, FLORIDA, APPROVING A
PLANNED UNIT DEVELOPMENT ON A
±110.14 ACRE PARCEL FOR MIDWAY 65
LLC, ZONING CASE NUMBER 260107ZP;
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, an application for a Planned Unit Development was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on December 29, 2025; 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, January 20, 2026. Now therefore,

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

SECTION 1. PLANNED UNIT DEVELOPMENT APPLICATION 260107ZP – Midway 65 LLC, the application requesting a Planned Unit Development. Articles 2 and 4 of the Marion County Land Development Code, as submitted by David Tillman with Tillman & Associates Engineering, LLC, Ocala, FL 34471, to allow for a maximum proposed total of 329 Single-Family residential units, on Parcel Account Number 9027-0000-02, no address assigned.

SECTION 2. FINDINGS AND DEVELOPMENT CONDITIONS. The Board of County Commissioners has considered the recommendation and findings of the Growth Services staff and the Planning and Zoning Commission regarding approval of the Planned Unit Development. and following public comment, the Board agrees with those affirmative findings and approves the Planned Unit Development subject to the following development conditions:

1. The PUD shall comply with the PUD Development Setbacks listed in Table 2 below:

Table 2. Setbacks (IN FEET)	
Front	25'
Rear	15'
Side	5'
Side (on ROW)	15'

ATTACHMENT B

2. The PUD shall provide varying elevations and front setbacks for lots while still meeting the minimum setbacks as provided above.
3. The setback distance from the edge of sidewalk to the face of each residence's garage must be a minimum of 25' and allow two full-size vehicles to park in the driveway with no portion of the vehicle overhanging in to the sidewalk.
4. The PUD shall be limited to those uses as indicated within the PUD concept plan provided as Exhibit A and dated 01/09/2026.
5. The PUD shall be developed consistently with the PUD concept plan. In the event an alternative use other than those listed is proposed, the site shall go through the PUD rezoning application process to ensure due public notice is provided.
6. The PUD is limited to 329 single-family detached dwelling units.
7. A property owner's association OR the developer must care for and maintain all common areas used by residents of the subdivision as well as buffers, stormwater, and any other forms of infrastructure within the subdivision.
8. By the 50th CO for residences in the PUD, all amenities shall be completed and operational.
9. Buffers shall be provided as proposed in the PUD concept plan attached and dated 01/09/2026.
10. Requirements provided as a result of the approved Traffic Study and Traffic review must be implemented.
11. The PUD shall be limited to the two access points as provided in the attached concept plan dated 01/09/2026.
12. The eastern access shall be used solely as emergency access, with siren-operated sensors, and shall have a substantial metal gate that impedes pedestrian and vehicular traffic. Single-arm swing gates are prohibited for emergency access.
13. The eastern access shall not be used for construction traffic
14. Sidewalks to be provided internally as shown in the PUD concept plan.
15. The final PUD Master Plan must be brought back and heard by the Board of County Commissioners for final approval.

SECTION 3. COMPLIANCE/REVOCATION. Violation or failure to comply with one or more conditions of this Planned Unit Development shall be grounds for code enforcement action and/or repeal, in part and/or total, as related to this Planned Unit Development by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon the effective date of this Zoning Change's corresponding Rezoning Ordinance, No. 26-03.

DULY ADOPTED in regular session this 20th day of January, 2026.

ATTEST:

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


GREGORY C. HARRELL, CLERK


CARL ZALAK, III, CHAIRMAN

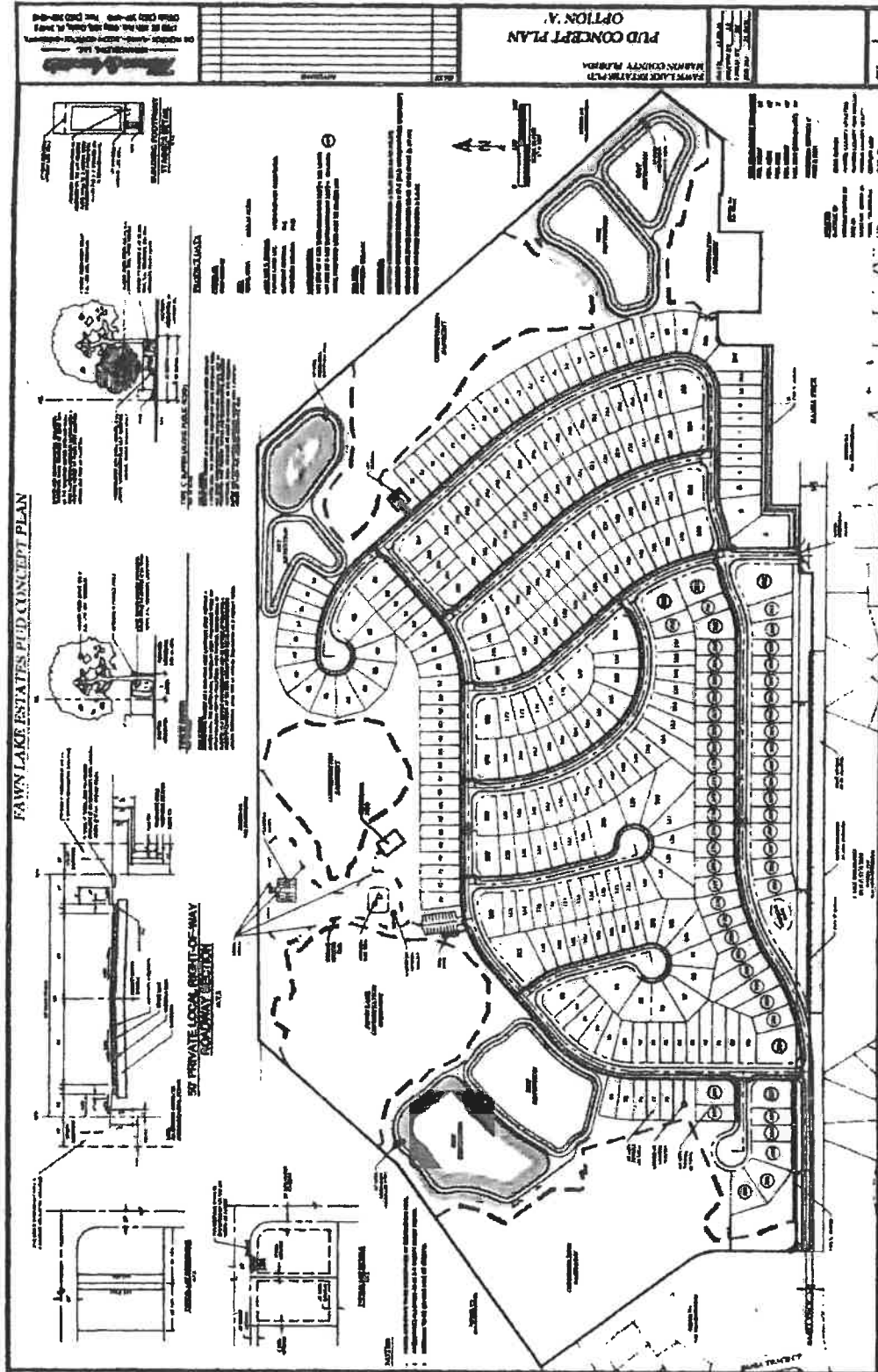


EXHIBIT A

260107ZP Midway 65 LLC