

**Official Minutes of  
MARION COUNTY  
BOARD OF COUNTY COMMISSIONERS**

January 20, 2026

**CALL TO ORDER:**

The Marion County Board of County Commissioners (BCC) met in regular session in Commission Chambers at 9:00 a.m. on Tuesday January 20, 2026 at the Marion County Governmental Complex located in Ocala, Florida.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

The meeting opened with invocation by Chairman Zalak and the Pledge of Allegiance to the Flag of our Country.

**9:00 AM ROLL CALL:**

Upon roll call the following members were present: Chairman Carl Zalak, III, District 4; Vice-Chairman Matthew McClain, District 3; Commissioner Craig Curry, District 1; Commissioner Kathy Bryant, District 2; and Commissioner Michelle Stone, District 5. Also present were County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Tracy Straub, ACA Amanda Tart, and Director of Internal Services Mike McCain. Clerk Gregory C. Harrell was absent due to a prior commitment.

**ANNOUNCEMENTS:**

Chairman Zalak addressed upcoming scheduled meetings as listed on the Commission Calendar (Item 13.2.1).

**1. PROCLAMATIONS AND PRESENTATIONS:**

Upon motion of Commissioner Bryant, seconded by Commissioner McClain, the BCC approved and/or ratified the following:

**1.1. PRESENTATION** - Florida Veterans Hall of Fame Recipient Captain Steve Petty of Marion County - Amanda Tart, Assistant County Administrator (Presentation Only)

ACA Amanda Tart presented the following recommendation:

Description/Background: At its January 6 meeting, the Board approved a proclamation declaring January 10, 2026, "Steve Petty Day" in Marion County. This serves as the official presentation of the proclamation. Retired U.S. Army Captain and Marion County resident Stephen Petty was inducted into the Florida Veterans Hall of Fame on November 6, 2025, in recognition of his distinguished military service and lifelong dedication to veterans.

A highly decorated Vietnam War helicopter pilot, Captain Petty earned numerous top military honors for heroism and leadership. Following his service, he continued to support veterans through leadership roles in multiple organizations, expanding access to care and resources. His lasting impact reflected exemplary service, leadership, and commitment to community.

Budget/Impact: None.

Recommended Action: Presentation Only.

ACA Amanda Tart commented on a Proclamation approved at the January 6, 2026, BCC meeting declaring January 10, 2026, as Steve Petty Day in Marion County. She stated

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Commissioner Curry had the honor of presenting that Proclamation to Captain Petty on January 10, 2026, at a local event held in his honor. Today the Board will formally present Captain Petty with his Proclamation and recognize him for his lifetime of extraordinary service and achievement. Army Captain and Marion County resident Steven Petty was inducted into the Florida Veterans Hall of Fame on November the 6, 2025 in recognition of his distinguished military service and enduring commitment to veterans. She provided an overview of Mr. Petty's many achievements and service to veterans and the community. Ms. Tart presented a brief video from the State of Florida highlighting Captain Petty's induction into the Florida Veterans' Hall of Fame on November 6, 2025.

Commissioner Curry commented on Captain Petty's many achievements including rescuing a pilot and flying 1,261 combat hours in Vietnam.

Captain Steve Petty expressed appreciation towards the Board for their support of Veterans and citizens alike. He commented on the partnership with Bob Levenson and Grace Dunlevy relating to cancer screenings and other veteran related services. Captain Petty addressed the many contributions of veterans throughout the community.

**1.2. PRESENTATION - Present Funds Raised From 2025 Jamboree to Three Local Foundations - Amanda Tart, Assistant County Administrator (Presentation Only)**

ACA Tart presented the following recommendation:

Description/Background: The Marion County Board of County Commissioners continues its longstanding support of giving back to our community with our annual Jamboree Day, an event by employees for employees to raise money for three local foundations, American Heart Association, March of Dimes, and United Way of Marion County. For twenty-nine years, departments have raised money at this event by raffling prizes, selling food and drinks, and having competitive games. This year at Jamboree we raised a total of \$7,776.58, therefore the three local foundations will be receiving \$2,592.19.

Additionally, Niki Tripodi from United Way of Marion County, Shelby Bobbett and Mark Johnson from American Heart Association, and Betsy Webber from the Marion County Sexual Assault Center are present to address the Board and receive the donations for their respective foundations.

Budget/Impact: None.

Recommended Action: Presentation of Jamboree Day donations to foundation representatives.

Ms. Tart commented on the annual Jamboree Day event to support local agencies. This year's agencies included American Heart Association, March of Dimes, United Way of Marion County and Marion County Sexual Assault Center. She introduced Director of Development Mark Johnson, American Heart Association and Executive Director Betsy Weber, Marion County Sexual Assault Center and welcomed them on stage to accept their checks. It was noted that the representative from the United Way of Marion County was not present.

**1.3. PRESENTATION - Community Impact Award - 2K Properties Services - Lacey Larramore, Solid Waste Resource Liaison (Presentation Only)**

Solid Waste Resource Liaison Lacey Larramore presented the following recommendation:

Description/Background: The Marion County Board of County Commissioners is committed to eliminating litter throughout our community. This vital effort would not

be possible without the dedication of individuals, organizations, and businesses who step up to help spread the message that there is No Horsin' Around with Marion.

The Community Impact Award was created to recognize outstanding Individuals, organizations and businesses that are making a meaningful difference in reducing litter and helping to create a cleaner, more beautiful Marion County.

Today, 2K Properties is being recognized for all the hard work they provided for the Litter Task Force Christmas Parade float.

Budget/Impact: None.

Recommended Action: Presentation only.

Solid Waste Resource Liaison Lacey Larramore provided an overview relating to the Community Impact Award, noting today's recipient is 2K Properties Services. She advised that 2K Properties Services sponsored the Marion County Litter Task Force float in the Ocala Christmas Parade by providing a truck, driver, trailer and all of the decorations. Ms. Larramore stated they were able to showcase the Task Force message to thousands of residents with mascots Rubbish and Debris leading the way.

**1.4. PRESENTATION - Employee Service Awards - Jessica James, Acting Director of Human Resources (Approval and Presentation)**

Acting Human Resources (HR) Director Jessica James presented the following recommendation:

Description/Background: The Marion County Board of County Commissioners feels it is important to recognize employees for their years of service to the County. For our recognition ceremony, we want to acknowledge those employees who have achieved 15 years of service or more.

Because of the Board's continual and generous support of its employees, the Marion County Board of County Commissioners would like to present the following Employee Service Awards as attached.

Budget/Impact: None.

Recommended Action: Presentation of appropriate awards to the employees on the attached list.

The BCC, along with Acting Director James, HR, recognized the following employees for their years of service to the County:

Employee Service Awards  
October - December 2025

35 Years

Name	Department	Position Title
Lesa Fanelli	Building Safety	Permitting Licensing Division Manager
John Pelliccio	Fire Rescue Services	Lieutenant

30 Years

Name	Department	Position Title
Matthew Kelly	Solid Waste	Code Enforcement Officer

20 Years

Name	Department	Position Title
Frank Giattino	Fire Rescue Services	Driver Engineer I
Martin Lanza	Fire Rescue Services	Driver Engineer I
Joseph Bush	Fire Rescue Services	Lieutenant
Philip Applegate	Fire Rescue Services	Firefighter
Jay Boardman	Fire Rescue Services	Captain
John Clarke	Fire Rescue Services	Lieutenant
Latosha Pullings Harris	Fire Rescue Services	Administrative Staff Assistant

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Kristina Ashby	Fleet Management	Budget Administrative Coordinator
Michael Smith	Office of the County Engineer	Roads Maintenance Tech I
Benjamin Raymond	Solid Waste	Solid Waste Operator
Jennifer Roberts	Utilities Management	Utilities Billing Account Specialist
Dawn Cook	Utilities Management	Utilities Billing Account Specialist
Joshua Kramer	Utilities Management	Utilities Deputy Director

15 Years

Name	Department	Position Title
Richard Kocik	Fire Rescue Services	Lieutenant
Kevin Mims	Fire Rescue Services	Driver Engineer I
Christopher Lewis	Fire Rescue Services	Lieutenant
Brady Merritt	Fire Rescue Services	Firefighter
Dana Barker	Fire Rescue Services	Medical Billing Specialist Supervisor

**1.5. PROCLAMATION** - Eagle Scout Court of Honor - William Alexander "Cash" Collins (Approval Only)

The Board approved the Proclamation congratulating William Alexander "Cash" Collins upon attaining the status of Eagle Scout in the Boy Scouts of America organization.

**2. AGENDA ITEM PUBLIC COMMENTS:** Reserved for comments related to items specifically listed on this agenda. Scheduled requests will be heard first and limited to five (5) minutes. Unscheduled requests will be limited to two (2) minutes. Citizens may contact Marion County Administration by 5:00 p.m. the Friday before the meeting at 352-438-2300 to request to speak or submit the request online at: [www.marionfl.org](http://www.marionfl.org).

Commissioner Bryant out at 9:32 a.m.

Chairman Zalak opened the floor to public comment.

Louine Ek, SW 59<sup>th</sup> Street, quoted from Jeremiah 33:3.

Commissioner Bryant returned at 9:33 a.m.

Ms. Ek provided quotes from Benjamin Franklin and the Bible. She commented on the founding fathers beginning their Congressional sessions with prayer as do the Commissioners and County leaders. Ms. Ek expressed appreciation toward County leaders for their service.

Jeremiah Bennett, SE 8<sup>th</sup> Street, stated he is the owner of Benmar Construction and addressed Agenda Item 9.1 relating to Construction Manager (CM) services, and continued contracts. He expressed support for option 2.

Joseph Walker, SE 54<sup>th</sup> Place, Ocklawaha, addressed Item 4.1 relating to the renaming of the Marion County Sheriff's Operations Complex. He questioned why taxpayers are funding this rather than a private entity raising the funds.

Chairman Zalak advised that public comment is now closed.

**3. ADOPT THE FOLLOWING MINUTES: (3 Sets)**

**3.1.** August 13, 2025

**3.2.** August 18, 2025

**3.3.** August 19, 2025

A motion was made by Commissioner Curry, seconded by Commissioner Stone, to adopt the meeting minutes of August 13, 18 and 19, 2026. The motion was unanimously approved by the Board (5-0).

#### **4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:**

**4.1.** Request for Consideration and Approval of the Renaming of The Marion County Sheriff's Operations Complex as "The Don R. Moreland Criminal Justice Complex"  
County Administrator Mounir Bouyounes, Administration presented the following recommendation:

Description/Background: Former Marion County Judge John Futch and other members of the community have reached out to County Administration recommending the renaming of the Marion County Sheriff's Operations Complex to the "Don R. Moreland Criminal Justice Complex".

Don R. Moreland was a true "lawman" of that time. Tall, barrel-chested, somewhat quiet, and a reputation throughout the county as fearless. Born in Dawson, Georgia, he served in the U.S. Navy from 1952 to 1956. After his discharge, he started his law enforcement career as a patrolman with the Ocala Police Department. In 1957, Moreland was hired as a Deputy by Sheriff F. L. McGehee and earned an A.A. degree from Central Florida Junior College. (Today known as the College of Central Florida)

In the 1972 Sheriff's election, Don Moreland defeated Doug Willis, who was trying for his fourth term. At midnight on January 2, 1973, Don Moreland and his family came to the jail where he was sworn in as Sheriff. Sheriff Moreland served five consecutive terms (twenty years) as Sheriff, making him the longest-serving Sheriff in the history of Marion County.

Sheriff Moreland was the first Marion County Sheriff to institute written policies. He also initiated a standardized evaluation system to assess the performance of all employees and established an awards system to recognize excellent and heroic actions by all agency personnel. Sheriff Moreland initiated an aviation program when he obtained two Bell helicopters and experimented with another program, having the Deputies own their own patrol cars. By the late 1970's, the Sheriff phased out the latter program and started issuing deputies patrol cars under what is known as the "Indianapolis plan," where a car would be issued to each deputy to drive and care for. Under Sheriff Moreland, the agency started issuing firearms, which started around 1984; prior to that, each deputy would purchase his own gun. With the tremendous growth of the county during Moreland's time in office, there were many changes to the agency. During Sheriff Moreland's time in office, he instituted the first decentralized policing strategy by opening substations throughout the county. The first was at Salt Springs and was opened in 1976, and the Ocklawaha substation opened in 1978. Eventually, substations were also opened in Dunnellon, Orange Lake, Silver Springs Shores, State Road 200, and Lynne, with an additional workstation in Marion Oaks. In August 1988, the Hammett L. Bowen, Jr. Operations Center was opened on the complex. The idea of dedicating the building to Marion County's only Medal of Honor Recipient was a result of a speech Sheriff Moreland was asked to give on Veterans Day.

Sheriff Moreland also recognized that times were changing and that his deputies needed some form of protection. As a result, he was one of the first Sheriffs to establish a career service act by state law. This provided an established process for disciplinary action and gave the employees protection from political terminations.

Sheriff Moreland was a highly respected and well-liked Sheriff, not only by his employees, but also by the public. During his tenure, the agency saw many

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changes, as well as many high-profile cases. Sheriff Moreland had many awards bestowed on him and his agency, but the one most remembered was being awarded national accreditation, not only in law enforcement but also in the jail.

There were many “Firsts” for Marion County in Sheriff Moreland’s administration.

- The first female patrol deputy: Patty Lumpkin
- First female sergeant: Lois Carey
- First black sergeant and lieutenant: Stacy Dickson
- First black captain: Fred Cyprian
- First SWAT team
- First Underwater Recovery team
- First computers in the agency
- First Field Force Team
- First D.A.R.E. program
- First Negotiations Team
- First Crime Scene/Evidence unit
- First School Resource Officer program

After leaving office, Sheriff Moreland would be appointed U. S. Marshal for the Central District of Florida by President Clinton. He would serve in that capacity for almost nine years.

Attached to this agenda item are letters supporting this action in honor of the late Sherrif Don R. Moreland.

The County Administrator recommends naming the Marion County Sheriff’s Operations Complex the “Don R. Moreland Criminal Justice Complex” as this dedication would be a fitting memorial to the many contributions Sheriff Moreland made to Marion County. This dedication will initially be memorialized with a dedication sign from Marion County and later a formal entrance will be designed between the County and the Marion County Sheriff’s Office with donations solicited by the requesters of this dedication to fund the project.

Budget/Impact: None.

Recommended Action: Motion to approve the naming of the Marion County Sheriff’s Complex the “Don R. Moreland Criminal Justice Complex.”

County Administrator Mounir Bouyounes, commented on the request to rename the Marion County Sheriff’s Operations Complex to the “Don R. Moreland Criminal Justice Complex”. He stated the request was brought forward by retired Judge John Futch and other members of the community, noting there have been calls and letters in support of the renaming.

John Futch, SW 42<sup>nd</sup> Street, introduced the late Sheriff’s daughter Ann Moreland and provided a brief overview relating to the service and accomplishments of Don R. Moreland. He stated it is his intention that any cost relating to signage for the complex if renamed, will be raised privately.

Mr. Bouyounes advised that he has spoken to Sheriff William “Billy” Woods, Marion County Sheriff’s Office (MCSO) and he fully support this initiative, noting staff will coordinate with him in regard to where the sign will be placed and how it will be erected on that complex.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to approve the naming of the Marion County Sheriff’s Complex the “Don R. Moreland Criminal Justice Complex.”

Chairman Zalak expressed appreciation for Judge Futch and Ms. Moreland, noting the many accomplishments credited to Sheriff Moreland.

The motion was unanimously approved by the Board (5-0).

Ann Moreland expressed appreciation towards the Board for renaming the Marion County Sheriff's Complex the "Don R. Moreland Criminal Justice Complex."

## **5. CLERK OF THE CIRCUIT COURT:**

Upon motion of Commissioner Bryant, seconded by Commissioner Stone, the Board adopted the following Budget Amendment Resolutions transferring funds as presented by Deputy Clerk Windberg on behalf of Clerk Harrell:

### **5.1. Budget Amendment**

**5.1.1.** 26-R-15 – General Fund Grants - Community Services HOME - \$75,309

**5.1.2.** 26-R-16 – Hills of Ocala MSTU for Recreation - Hills of Ocala Recreation - \$20,000

**5.1.3.** 26-R-17 – Impact Fee West District Fund - Impact Fees West District - \$5,247,419  
(Ed. Note: HOME is the acronym for Home Investment Partnership Program; and MSTU is the acronym for Municipal Services Taxing Unit.)

### **5.2. Project Adjustment**

**5.2.1.** Transfer Project Funds and Amend the Capital Improvement Program - Infrastructure Surtax Capital Project Fund - \$20,027

County Engineer Steven Cohoon, Office of the County Engineer (OCE), presented the following recommendation:

Description/Background: To facilitate the billing of staff time to Transportation Infrastructure Surtax projects, adjustments are required for projects that currently have insufficient or no budget allocations. Several projects will be increased to allow for the necessary journal entries, with funding transferred from STC073801 – NW 49<sup>th</sup>/35<sup>th</sup> St Phase 2B project to the identified projects.

Budget/Impact: Neutral.

Recommended Action: Motion to approve the transfer of project funds and amend the CIP.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to approve the transfer of project funds and amend the Capital Improvement Program (CIP). The motion was unanimously approved (5-0).

### **5.3. Clerk of the Court Items**

**5.3.1.** Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 038139, 039143, 046506, 047868, 050274, 050811, 53095, IT List

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to approve the Disposition of Property Forms 038139, 039143, 046506, 047868, 050274, 050811, 53095, and IT list. The motion was unanimously approved by the Board (5-0).

## **6. PUBLIC HEARINGS (Request Proof of Publication) at 10:00 am: NONE**

## **7. CONSENT:**

A motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and will be enacted by one motion . There will be no separate discussion unless desired by a Commissioner.

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Upon motion of Commissioner Stone, seconded by Commissioner Curry, the Board acted on the Consent Agenda as follows:

**7.1. Administration:**

**7.1.1. Request Approval of Third Amendment to Agreement Between Marion County Veterans Helping Veterans, Inc. and Marion County (Budget Impact - Neutral)**

The Board accepted the following recommendation as presented by ACA Tart, Administration:

Description/Background: In August 2016, Marion County (Lessor) entered into a Lease Agreement with Marion County Veterans Helping Veterans, Inc. (VHV) (Lessee) for the purposes of operating a non-profit, one-stop veterans service center. The Lease Agreement provided that the Lessor would pay the electric utilities to the property.

On June 4, 2019, the Board approved the First Amendment to the Lease Agreement which extended the responsibility in making the utility payment for an additional three (3) years expiring on May 31, 2022.

On September 14, 2021, the Board approved the Second Amendment to the lease Agreement which extended the responsibility in making the utility payment for an additional three (3) years expiring on May 31, 2025. Additionally, the Second Amendment provides that both parties may consider extending Lessor's responsibility for payment of electric utilities for an additional time period.

The County recognizes the importance of the many valuable services VHV has provided to the many veterans and supports the success of VHV. Staff recommends extending Lessor's payment of electric utilities for an additional three (3) years until May 31, 2028, at which time the utility payments will be reviewed and assessed for further consideration.

Budget/Impact: Neutral.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Third Amendment to Agreement between Marion County Veterans Helping Veterans, Inc. and Marion County.

**7.2. Community Services:**

**7.2.1. Request Approval of the Marion County Standard Professional Services Agreement Challenge Grant with Neighborhood Housing and Development Corporation (Budget Impact - Neutral; not to exceed \$100,000)**

The Board accepted the following recommendation as presented by Community Services Director Cheryl Butler:

Description/Background: On July 15, 2025, the Marion County Board of County Commissioners approved a contract with the Florida Department of Children and Families (DCF) to distribute state and federal homelessness assistance funds administered through the Ocala/Marion Joint Office on Homelessness Continuum of Care (CoC) FL-514. These funds support local homeless service providers and align with the approved Continuum of Care Plan.

Funding Sources Include:

- Challenge Grant
- Emergency Solutions Grant (ESG)
- Temporary Assistance for Needy Families (TANF) Grant

In accordance with the approved Continuum of Care Plan, nonprofit organizations were invited to apply for funding to support projects that address identified community priorities. Neighborhood Housing and Development Corporation (NHDC), a local nonprofit organization, submitted a request for Challenge Grant funding.

The proposed use of funds will provide eligible Marion County residents with rental assistance, move-in costs associated with rapid re-housing, utility and other financial assistance, and case management services. These services are designed to assist households in achieving housing stability and long-term self-sufficiency.

Budget/Impact: Neutral; not to exceed \$100,000.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute all necessary documents associated with this agreement for Challenge Grant with NHDC.

### **7.3. Fire Rescue:**

**7.3.1.** Request Approval of Grant Agreement Number FM 1210 Between the State of Florida Department of Financial Services and the Marion County Board of County Commissioners for State Fiscal Year 2025-26 (Budget Impact - Grant funds of \$187,500) The Board accepted the following recommendation as presented by Fire Chief James Banta, Marion County Fire Rescue (MCFR):

Description/Background: The Department of Financial Services, through its Division of State Fire Marshal, has the authority to grant funds to the Marion County Board of County Commissioners. The General Appropriations Act for the 2025-26 state fiscal year provides funding for the sustainment of Florida's fire specialty teams, specifically for sustainment of Urban Search & Rescue (US&R), Hazardous Materials (HAZMAT), and Mutual Aid Radio Communications (MARC), and MARC equipment. The Marion County Board of County Commissioners has been awarded funding for the state's 2025-2026 fiscal year. Once executed, the agreement provides reimbursable funds available for the purchase of US&R equipment. The total amount of this grant is \$187,500.

Budget/Impact: Grant funds of \$187,500.

Recommended Action: Motion to approve and authorize the chairman and clerk to execute Grant Agreement Number FM 1210 between the State of Florida Department of Financial Services and the Marion County Board of County Commissioners.

### **7.4. Municipal Services:**

**7.4.1.** Request Acceptance of Dunnellon Oaks Improvement Area into Warranty Period and Authorization for Chairman to Execute Letter to Contractor (Budget Impact - None) The Board accepted the following recommendation as presented by Municipal Services (MS) Director Chad Wicker:

Description/Background: The following road improvement project has been completed and constructed according to plan. In accordance with the contract, this project is under a warranty period of one (1) year. The Dunnellon Oaks Subdivision, as recorded in plat book F, page 124 and page 124A dedicate said lands and plat for the uses and purposes therein expressed and dedicated the streets, alleys, thoroughfares, parks, and easements shown hereon to the

perpetual use of the Public. The Board accepts the roads, drainage facilities and appurtenances included with the assessment project. This improvement area will be maintained by the Office of the County Engineer after the Warranty period has ended.

PROJECT	BID	ENGINEER	CONTRACTOR	DATE COMPLETED
Dunnellon Oaks	24B-245	Tillman & Associates Engineering, LLC	Counts Construction Co., Inc.	09/04/2025

Budget/Impact: None.

Recommended Action: Motion to accept maintenance of the Dunnellon Oaks Improvement Area, and to accept construction of Dunnellon Oaks Improvement Area and authorize Chairman to execute letter advising the contractor of the one (1) year warranty period.

**7.5. Parks & Recreation:**

**7.5.1.** Request Approval of the Francis Marion Memorial at the Ocala-Marion County Veterans Memorial Park (Budget Impact - Neutral; project funding provided by grant)

The Board accepted the following recommendation as presented by Parks & Recreation Director Jim Couillard:

Description/Background: The Parks & Recreation department, in coordination with County Administration and the Daughters of the American Revolution, are requesting the Board’s consideration and approval of the Francis Marion Memorial at the Ocala-Marion County Veterans Memorial Park.

General Francis Marion, “The Swamp Fox”, for whom Marion County was named, is best known for being an innovative leader and freedom fighter who dedicated his life for the establishment of the United States. In celebration of America’s 250<sup>th</sup> anniversary, we remember Francis Marion through the installation of this memorial.

Budget/Impact: Neutral; project funding provided by grant through the Daughters of the American Revolution.

Recommended Action: Motion to approve the Francis Marion Memorial at the Ocala-Marion County Veterans Memorial Park.

**7.6. Procurement Services:**

**7.6.1.** Request Approval of Change Order One to Purchase Order 2501614: 25B-117 State Road 326 Water Main Extension 441 to County Road 25A - Integrity Site Development, Inc., Anthony, FL (Budget Impact - Neutral; additional expenditure of \$256,479.70)

The Board accepted the following recommendation as presented by Procurement Services Director Susan Olsen:

Description/Background: On August 19, 2025, the Board approved a contract with Integrity Site Development, Inc. for the installation of a 16-inch water main along SR 326, from US Hwy 441 to CR 25A.

This project is part of the Lowell Service Area Improvement initiative, which aims to provide safe, potable water to the Lowell community in response to groundwater contamination in the area.

Change Order One (1) requests to add \$256,479.70, increasing the purchase order from \$2,107,784.37 to \$2,364,264.07. This change provides for furnishing

and installing an 18-inch High-Density Polyethylene (HDPE) water main road crossing at the intersection of CR 25A and SR 326 using horizontal directional drilling (HDD) to accommodate future development north of SR 326. This work was not included in the original scope of work.

Attached for review is a copy of Change Order One (1) and the proposal by Integrity Site Development, Inc. Upon approval at today's meeting the change order will be presented to the chairman and clerk for signatures.

Budget/Impact: Neutral; additional expenditure of \$256,479.70 bringing the project's total cost to \$2,364,264.07. Funding is available in line ZF448536-563102 Project E-UTC000205.

Recommended Action: Motion to approve, authorize the Chairman and Clerk to execute, and allow staff to process Change Order One (1) to Purchase Order 2501614 under 25B-117.

**7.6.2.** Request Approval of Change Order Two to Purchase Order 2301458: 23Q-067 Irish Acres to Silver Springs Regional Water Main Interconnect - Kimley-Horn and Associates, Inc., Ocala, FL (Budget Impact - Neutral; additional expenditure of \$22,490) The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On July 18, 2023, the Board approved a contract under 23Q-067 with Kimley-Horn and Associates, Inc. (KHA) to provide professional engineering services for the design of approximately 47,000 linear feet of 16-inch water main and 5,300 linear feet of 12-inch water main to interconnect the Irish Acres and Silver Springs Regional Water Treatment Plants. At that time, Purchase Order 2301458 was issued for these services.

Contract Amendment One (CA-01) revised the engineering design to avoid crossing underneath an existing Florida Department of Transportation (FDOT) drainage structure, and to incorporate a new 12-inch force main into the construction plans as an alternate alongside the interconnect water main.

Change Order One (1) added a second line to the purchase order to allocate the Florida Department of Environmental Protection (FDEP) grant funds to the project for CA-01.

Change Order Two (2), being presented today, requests to add Construction Phase Services and Bidding Assistance to the purchase order. These services include responding to design-related questions during bidding and construction, attending pre-bid, pre-construction, substantial completion, and final completion meetings, revising plans as needed, and reviewing and certifying FDEP clearance documentation.

Attached for review is a copy of Change Order Two (2) and the proposal from Kimley Horn and Associates, Inc. Upon approval at today's meeting, the change order will be presented to the Chairman and the Clerk for signatures.

Budget/Impact: Neutral; additional expenditure of \$22,490 bringing the project's total cost to \$457,657.50. Funding is available in line ZF442533-531109 (Marion County Utility Fund).

Recommended Action: Motion to approve, authorize the Chairman and Clerk to execute and allow staff to process Change Order Two (2) for Kimley-Horn and Associates, Inc., under 23Q-067.

**7.6.3. Request Approval of Contract Amendments Under 18Q-160 SW/NW 80<sup>th</sup>/70<sup>th</sup> Avenue Widening Preliminary Engineering Report - Guerra Development Corporation, Ocala, FL (Budget Impact - Neutral; total expenditure of \$275,980.00)**

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On November 18, 2018, the Board awarded a contract to Guerra Development Corp. to develop and provide a Preliminary Engineering Report (PER) to support the widening and other future improvements to SW/NW 80<sup>th</sup>/70<sup>th</sup> Avenue from SW 90<sup>th</sup> Street to ½ mile north of US 27. Presented today are three (3) additional contract amendments for work required by the Office of the County Engineer.

18Q-160-CA-11 includes post-design and construction phase services for the SW/NW 80<sup>th</sup>/70<sup>th</sup> Avenue Segment 1 (from SW 90<sup>th</sup> Street to north of SW 38<sup>th</sup> Avenue). These services include preparing up to five (5) bid addenda, attending pre-bid and pre-construction meetings, participating and responding to Requests for Information (RFIs) in up to ten (10) progress meetings, providing up to five (5) plan revisions, reviewing and updating as-built surveys, preparing Southwest Florida Water Management District (SWFWMD) permit certifications, adding fiber-optic conduit boxes, and designing a directional median opening at SW 90<sup>th</sup> Street for emergency vehicle access.

18Q-160-CA-12 includes designing a preemptive traffic signal at the northernmost West Port High School access on SW 80<sup>th</sup> Avenue, preparing a complete signalization plan set integrated into the roadway plans, performing a Florida Department of Transportation (FDOT) compliant structural analysis for the strain poles and their foundations, providing calculations at the 100% submittal, and responding to one (1) round of County review comments.

18Q-160-CA-13 includes preparing a Lighting Justification Report for an approximate 2,800 feet segment of SW 80<sup>th</sup> Avenue just north of SW 80<sup>th</sup> Street, evaluating the need for roadway lighting, and submitting the report to the County with one (1) round of comments included.

Attached for review are the drafts of the three (3) contract amendments along with the fee schedule. Upon approval at today's meeting, the contracts will be sent to Guerra Development Corp. for signatures. Once the Contracts are returned, they will be routed for appropriate County signatures.

Budget/Impact: Neutral; total expenditure of \$275,980.00.

18Q-160-CA-11 \$207,040.00

18Q-160-CA-12 \$52,165.00

18Q-160-CA-13 \$16,775.00

Funding is available in line VJ738541-563220 (Project STC073815) - Infrastructure Surtax Capital Project Fund.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Contract Amendments with Guerra Development Corporation under 18Q-160.

**7.6.4. Request Approval of Selection Committee Recommendation: 25Q-118 CR 475 at SW 80<sup>th</sup> Street Intersection Improvement - Kittelson & Associates, Inc. Orlando, FL (Budget Impact - Neutral; expenditure of \$677,422)**

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a Request for Qualifications for professional engineering and consulting services to provide design services for intersection improvements at CR 475 and SW 80<sup>th</sup> Street.

The Scope of Services consists of the design of a roundabout in accordance with County, State, and Federal standards and requirements, providing engineering plans, specifications, and construction estimates, obtaining required permits, and preparing presentations and attending public meetings. A total of two (2) firms responded. The selection committee, consisting of Marc Burkett, Charles Rich, and Steven Cohoon, evaluated the proposals and ranked them per the tabulation below:

Firm – Location	Rank
Kittelson & Associates, Inc. - Orlando, FL	1
Kimley-Horn and Associates, Inc. - Ocala, FL	2

Steven Cohoon, P.E., County Engineer, has reviewed and is in support of the Selection Committee’s recommendation to award Kittelson & Associates, Inc.

Attached for review is a draft contract. Upon approval at today’s meeting, it will be sent to Kittelson & Associates, Inc. for signatures and once returned, will be forwarded to Legal, the Clerk, and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$677,422. Funding is from GA771541-563511 (Impact Fees East District).

Recommended Action: Motion to approve recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman and Clerk to execute contract with Kittelson & Associates, Inc. under 25Q-118.

**7.6.5.** Request Approval of Selection Committee Recommendation: 26Q-005 Pre-Qualified Utilities Underground Contractors – Miller Pipeline, LLC, Indianapolis, IN, T&C Underground, Inc., Ocala, FL, Hartman Civil Construction Company, Inc., Ocala, FL, G W P Construction, Inc., Ocala, FL, Commercial Industrial Corp., Ocala, FL, Art Walker Construction, Inc., Ocala, FL, RCM Utilities, LLC, Eustis, FL, Sanpik, Inc., Longwood, FL, AMICI Engineering Contractors LLC, Miami, FL, 2-K Property Services LLC, Ocala, FL, Razorback LLC, Tarpon Springs, FL (Budget Impact - None)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of Marion County Utilities, Procurement issued a Request for Qualifications (RFQ) to solicit qualified utilities underground contractors experienced in constructing and maintaining utility infrastructure. The scope of this contract includes a wide range of utility work, including emergency repairs, installation of water and sewer systems, pump and equipment replacement, site restoration, demolition of small treatment plants, and other relevant projects as needed. The work may occur at water and wastewater plants, lift stations, utility easements, Marion County right-of-way (ROW), or Florida Department of Transportation ROW.

Eleven submittals were received, evaluated, and scored by Selection Committee members: Alejandro Rad - Utilities, Mike Bates - Facilities, and Kevin Vickers - OCE. The committee’s recommendation is to contract with all agencies. Two

vendors had an identical score resulting in both being ranked third. The complete ranking is below:

Vendor - Location	Rank
Miller Pipeline, LLC - Indianapolis, IN	1
T&C Underground, Inc. - Ocala, FL	2
Hartman Civil Construction Company, Inc. - Ocala, FL	3
G W P Construction, Inc. - Ocala, FL	3
Commercial Industrial Corp. - Ocala, FL	5
Art Walker Construction, Inc. - Ocala, FL	6
RCM Utilities, LLC - Eustis, FL	7
Sanpik, Inc. - Longwood, FL	8
AMICI Engineering Contractors LLC - Miami, FL	9
2-K Property Services LLC - Ocala, FL	10
Razorback LLC, Tarpon Springs, FL	11

Tony Cunningham, Director of Utilities, supports the selection committee's recommendation. Attached for review is a draft contract for Miller Pipeline, LLC. Upon approval at today's meeting, identical contracts will be sent to all 11 vendors. Once returned, they will be routed to the County Attorney, Clerk, and Chairman for signatures.

Budget/Impact: None; projects which exceed \$50,000 will be brought back before the Board as a separate task order project with a detailed scope and fee schedule for review and approval.

Recommended Action: Motion to approve the recommendation and allow staff to issue contracts, and upon approval by Legal, authorize the Chairman and Clerk to execute the contract with Miller Pipeline LLC, T&C Underground, Inc., G W P Construction, Inc., Hartman Civil Construction Company, Inc., Commercial Industrial Corp., Art Walker Construction, Inc., RCM Utilities, LLC, Sanpik, Inc., AMICI Engineering Contractors LLC, 2-K Property Services LLC, Razorback LLC, under 26Q-005.

**7.6.6. Request Approval of Task Order: 25Q-106-TO-07 Utilities Engineering Design Support Services, Lift Station Upgrades and Equalization Basin Decommissioning Silver Springs Shores - Ardurra Group, Inc Ocala, FL (Budget Impact - Neutral; expenditure of \$136,460)**

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On September 16, 2025, the Board approved contracts with seven (7) firms to provide Utilities Engineering Design Support Services for Marion County. Under this agreement, Marion County Utilities (MCU) has assigned Ardurra Group, Inc (Ardurra) to provide engineering and surveying services to decommission the Silver Springs Shores Equalization (EQ) Basin and upgrade four (4) lift stations (SSS-001, SSS-007, SSS-008, SSS-010) so wastewater can be pumped directly to the treatment plant headworks.

Services include surveying, design, permitting, plans and specifications, bidding support, construction engineering, start-up, and project closeout. The lift station upgrades extend service life, improve efficiency, and eliminate the need for the EQ Basin.

Budget/Impact: Neutral; expenditure of \$136,460. Funding for this project is from ZF448536-563102 (Marion County Utility Fund), Project UTC0D0D85.

Recommended Action: Motion to approve and allow staff to issue, and upon approval from Legal, authorize the Chairman and Clerk to execute the contract for Ardurra Group, Inc., under 25Q-106.

#### **7.6.7. Request Approval of Purchases \$50,000 and Over**

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: The item(s) below have been received by Procurement Services and are approved for conformance with the Procurement Code/Manual, pending approval at today's meeting.

1. Pending Requisition/Carahsoft Technology Corp. - Marion County Fire Rescue requests approval to purchase one (1) annual subscription renewal of First Due platform for the period of February 28, 2026, through February 27, 2027. Total expenditure of \$140,808.79. Funds are available in line EF300522-552106. This purchase meets the competitive requirements under 23C-219.
2. Pending Requisition/ETR LLC, - Marion County Fire Rescue requests approval for the removal and remounting of module unit #SE-2 onto new 2025 International CV515 SFA 4x4 cab and chassis. Total expenditure of \$195,606. Funds are available in line ZK160519-545701. This purchase is exempt from the competitive bidding process requirements under FSA25-VEF19.0.
3. Pending Requisition/Data Flow Systems, Inc. - Marion County Utilities requests approval to purchase the upgrade of 22 SCADA TCU units at lift stations from the TCU001 platform to the TCU800 platform for \$4,492 each. Total expenditure of \$98,824. Funds are available in line ZF442533-564101. This purchase meets the competitive requirements under 10ST-194.

Recommended Action: Motion to approve requested purchases.

#### **7.7. Tourist Development:**

##### **7.7.1. Request Approval of Tourist Development Council Recommendation for Room Night Generating Event (Budget Impact - Neutral; expenditure of up to \$1,300)**

The Board accepted the following recommendation as presented by Tourist Development Director Loretta Shaffer:

Description/Background: The Tourist Development Council (TDC) seeks funding approval for organizations that have festivals, events, or programs which support the TDC's mission of growing the economy and accelerating prosperity in Marion County through effective destination sales and marketing. The Room Night Generating Event Funding Program is intended to position Marion County as a must-experience destination in Florida through bringing quality events and initiatives to Marion County. The following funding contract was recommended for approval by the TDC:

Florida Association of Equine Practitioners Ocala Equine Conference \$1,300  
Budget/Impact: Neutral; expenditure of up to \$1,300. Funding from CP155552-548101.

Recommended Action: Motion to approve the Tourist Development Council funding requests and authorize the Chairman and Clerk to execute the attached funding agreement.

**7.8. Transportation - County Engineer:**

**7.8.1. Request Approval of a Resolution Authorizing the Interdepartmental Acquisition of Right of Way and Relocation or Adjustment of Effluent Spray Field Facilities in Conjunction with Marion County Road Construction Project for Emerald Road Extension from SE 92<sup>nd</sup> Loop to Florida Northern Railroad, Parcel 37508-000-00 (Budget Impact - Neutral)**

The Board accepted the following recommendation to adopt Resolution 26-R-18 as presented by County Engineer Cohoon, OCE:

Description/Background: Marion County Office of the County Engineer (OCE) is obtaining right of way, easements, and drainage retention areas (DRAs) for the Emerald Road Extension road construction project from SE 92<sup>nd</sup> Loop to the Florida Northern Railroad. 20.80 acres are needed from parcel 37508-000-00. This parcel, approximately 500 acres, is owned by Marion County Utilities Department (MCU) and was purchased through a Utilities System Revenue Bond authorized by Resolution 93-R-292 (Bond Resolution). The current resolution provides for the interdepartmental acquisition of the required land and a certification that the requirements of the Bond Resolution are satisfied.

Budget/Impact: Neutral; interdepartmental transfer of funds. This project is programmed in the current County Transportation Improvement Plan and is identified in the adopted FY 2026 Line Item Budget. TIP073865 and STC073865 - Funds 1291 and 3031 - Cost Centers 771 and 738.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the attached Resolution.

Resolution 26-R-18 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AUTHORIZING THE INTERDEPARTMENTAL ACQUISITION OF RIGHT OF WAY AND RELOCATION OR ADJUSTMENT OF EFFLUENT SPRAY FIELD FACILITIES IN CONJUNCTION WITH MARION COUNTY ROAD CONSTRUCTION PROJECT FOR EMERALD ROAD EXTENSION FROM SE 92<sup>nd</sup> LOOP TO FLORIDA NORTHERN RAILROAD; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**7.8.2. Request Approval of a Purchase Agreement and Addendum Associated with the S Magnolia Avenue at SW 80<sup>th</sup> Street Intersection Improvement Project for Parcel 36143-003-00 (Budget Impact - Neutral; expenditure of \$1,400,000)**

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$1,400,000 plus closing costs for parcel 36143-003-00 associated with the S Magnolia Avenue at SW 80<sup>th</sup> Street Intersection Improvement Project. This is an improved lot of approximately 2.94 acres. The 2,439 square foot single family residence consists of three (3) bedrooms, two (2) bathrooms, and a detached two (2) car garage.

The negotiated agreement is inclusive of any and all cost associated with this transaction. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$1,400,000 plus closing costs (Fund STC073817- CIP TRANSP- TFCTRL ROW- 738- VJ38541-561301)

Recommended Action: Motion to approve the Purchase Agreement and Addendum and authorize the Chairman and Clerk to execute the same.

## **8. COUNTY ATTORNEY: NONE**

## **9. COUNTY ADMINISTRATOR:**

**9.1.** Request Approval of Contract Direction: 20Q-161 Construction Manager Services - Dinkins Construction LLC (Ocala, FL), Cullison-Wright Construction Corp. (Ocala, FL), D.E. Scorpio Corporation (Gainesville, FL), Ausley Construction Company LLC (Ocala, FL), Charles Perry Partners, Inc. (Gainesville, FL) (Budget Impact - None)

Procurement Services Director Olsen presented the following recommendation:

Description/Background: On December 1, 2020, the Board approved the award of six (6) continuing contracts to qualified firms to provide licensed Construction Manager (CM) Services for miscellaneous County projects in accordance with the Consultant's Competitive Negotiation Act (CCNA), Section 287.055, Florida Statutes. These continuing contracts support a wide range of construction-related needs and are utilized on an as-needed, task order basis, allowing the County flexibility to manage projects of varying size, scope, and complexity. The initial term of these contracts is five (5) years, set to expire on April 30, 2026, and includes two (2) additional five-year renewal options, subject to Board approval and satisfactory performance. At the time of award, the CCNA threshold for continuing Construction Management contracts was \$4 million and has since increased to \$7.5 million per project, consistent with legislative changes to the CCNA continuing contract limits. One of the original six firms, Ethridge Construction of Marion County, Inc. (Ethridge), is not anticipated to continue providing services under the renewed contracts due to retirement of company leadership.

Since the contracts were awarded, all firms have been actively engaged in a diverse mix of County projects, from small-scale renovations to major facility construction. Upcoming projects are distributed among multiple firms to maintain continuity of services and balance workloads across providers. Project values vary significantly, reflecting the breadth of work being performed, and assignments are made based on project requirements, firm expertise, and capacity. This flexible structure enables the County to efficiently manage both current and future construction needs.

Throughout the initial contract term, the contracted firms have remained responsive and available to support Facilities Management projects as needed. With the contract expiration date approaching, staff is seeking Board direction on how to proceed to ensure the continued delivery of construction management services, consistent with the County's operational objectives and long-term strategic priorities.

The Board is requested to consider the following options:

1. Renew the Existing Contracts, excluding Ethridge:

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Approve the renewal of the five (5) Construction Manager Services contracts for an additional five-year term, exercising the first renewal option as provided in the contracts.

2. Renew and Open Original Solicitation:

Approve the renewal of five (5) contracts for an additional five-year term and direct staff to reopen the original solicitation to allow additional qualified Construction Manager firms to be added to the existing pool.

3. Re-Solicit Services:

Decline to renew the five (5) contracts and direct staff to advertise a new solicitation to establish a new pool of qualified Construction Manager firms, with the following sub-option:

- Option 3A - Advertise two separate Requests for Qualifications (RFQs), one to establish a pool for smaller projects and one to establish a pool for larger projects.

Budget/Impact: None.

Recommended Action: Move to provide direction to staff regarding the continuation of Construction Manager Services following the expiration of the current continuing contracts on April 30, 2026, selecting from the options presented in the agenda item.

Mr. Bouyounes stated this Item is a request to renew CM contracts already in place, noting in 2020 the Board entered into contract with 6 firms. He advised that presently there are only 5 firms due to a retirement. Mr. Bouyounes stated the contracts will expire in April, 2026, noting there are 5 year terms relating to the 2 renewal options. Staff recommend the Board renew with the 5 firms that are still working with them, in addition to that there is an option to allow additional qualified CM firms to be added to the existing pool. He stated the only way to do that is to open the RFQ and add forms to the list of contracts (Option 2). Mr. Bouyounes advised that if the Board wishes to add parties to that contract they can direct staff to open the RFQ and provide any limits or suggestions relating to this matter.

Chairman Zalak expressed support for opening the RFQ and adding local firms.

Commissioner Bryant commented on a discussion with an engineer relating to the lack of work available to firms that are in the County system. She questioned how much work the County has in the pipeline for the term of the contact and if there is enough to add another CM.

Mr. Bouyounes stated there is a list of projects coming up over the next 5 years that can be handled by the 5 CMs that are in place today, noting some additional work may occur. Commissioner Bryant requested detailed data relating to the number of projects coming up for the term of the next contract. She advised that this contract is specific to dollar amount (\$7,500,000.00). Commissioner Bryant expressed concern relating to the County projects come in much higher than projected.

Mr. Bouyounes stated some of those projects may rise and become their own RFQ based on the dollar value, noting he cannot provide that information today.

Commissioner Bryant advised that she is apprehensive about not having enough work for the CMs the County currently has under the existing contract and commented on hearing the same complaints she has heard from a party within the engineering services contract.

Commissioner McClain stated he has the same concern and questioned why 6 CMs were chosen in 2020.

In response to Commissioner Bryant, Ms. Tart stated from 2021 through 2026 there was \$63,000,000.00 worth of work that was distributed amongst the six contractors that are included in the current contract. There were approximately 58 projects.

Chairman Zalak advised that things happen and there ends up being more projects than what is included in the initial plans. He commented on a Solid Waste project that was not in the pipeline 5 years prior, noting it will not hurt to have an additional CM or 2 on this list. Chairman Zalak stated not all CMs get the same amount of work, and not all take what is offered.

In response to Commissioner McClain, Mr. Bouyounes advised that this was a renewal option in the previous contract and there are 2 renewal options.

Commissioner McClain opined that this is a renewal option relating to the initial contract, which included 6 CMs. He stated it makes sense to renew the current 5 CMs and bring in 1 more.

A motion was made by Commissioner Curry, seconded by Commissioner Stone, to approve Option 2. The motion was approved by the Board 3-2 with Commissioners McClain and Bryant dissenting.

In response to Commissioner McClain, Commissioner Stone advised that the motion was to open the RFQ for multiple applicants.

Mr. Bouyounes stated staff will go through the process and bring back recommendations. Chairman Zalak advised that if the Board decides to only add 1 CM, they can choose the top candidate.

General discussion ensued relating to the number of CMs that should be considered regarding the renewal.

Commissioner Bryant questioned if the County could be considered in breach of contract if the renewal is opened up to include more participants than the original 6. County Attorney Matthew G. Minter stated he does not think so based on how this is structured; however, he has not looked at that contract.

Chairman Zalak advised that the Board could choose not to renew the entire contract and force all parties to go through the entire process again.

Commissioner Bryant requested Mr. Minter review the contract and bring it back to the Board if there are any issues.

Procurement Services Director Olsen stated this has been done before, noting this contract was in place and staff opened it up at one point adding a couple of the firms that are on there now. She advised that there may be many parties that apply. Ms. Olsen clarified that in the life of this contract Consultants' Competitive Negotiation Act (CCNA) changed drastically, noting it went from \$4,000,000.00 to \$7,000,000.00. She stated it will happen again and that number will change every year, which makes it very possible there will be more projects that fall under that category during the life of this contract.

Chairman Zalak commented on the possibility that at some point there may need to be a split between individuals that will do projects that are under \$1,000,000.00 or \$2,000,000.00.

## **9.2. Provide Update on Various Roadway Projects**

County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: Steven Cohoon, P.E., County Engineer, will provide an update regarding the status of various roadway projects around the County.

Budget/Impact: None.

Recommended Action: For information only.

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County Engineer Cohoon, OCE, advised that he is present to provide the January, 2026 updates, as well as the Department's top ten list and various construction activity updates. He stated adjacent Counties often cease activities in and around the Christmas holiday/ 1<sup>st</sup> of the year; however, the Department is out paving roads today. Mr. Cohoon referred to a slide as seen on the overhead screens noting the 1<sup>st</sup> project listed, East Highway 316 from NE 152<sup>nd</sup> Court to NE 180<sup>th</sup> Avenue Road is expected to be completed in April, 2026. The projects for NW/NE 42<sup>nd</sup> Street from West Anthony Road to NE Jacksonville Road and NE 7<sup>th</sup> Avenue from NE 42<sup>nd</sup> Street to NE 49<sup>th</sup> Street are estimated to be completed in March, 2026.

He commented on the SW 80<sup>th</sup> Avenue, Segment 1 project, which is adding 2 lanes from SW 90<sup>th</sup> Street to 0.62 of a mile north of SW 38<sup>th</sup> Street. Mr. Cohoon advised that staff are finalizing the last few agreements with some of the Community Development Districts (CDDs) as well as On Top of the World (OTOW) and he expects to bring that before the Board for consideration during the February 17, 2026 BCC meeting. There is an Interlocal Agreement (ILA) that has been drafted and is going before the Marion County School Board (MCSB) for consideration and is expected back before the BCC in February. He stated the deadline for the Notice to Proceed has been pushed out slightly from the end of January to February to allow more time for property acquisitions and finalizing some of the remaining agreements. He advised that there is some ongoing utility work relating to the project.

Mr. Cohoon addressed the NW/NE 35<sup>th</sup> Street Phase 1B project that will add 2 lanes from 600 feet east of West Anthony Road to NE Jacksonville Road. He advised that a big update relates to obtaining the St. Johns River Water Management District (SJRWMD) permit, noting changes involving more stringent requirements for nutrient reduction are on the way. Mr. Cohoon stated the Department got in with the approved plans and updates should be minimal. He advised that the design is estimated to be completed in June, 2026; however, he believes it can be done earlier. Mr. Cohoon stated the critical path is getting all the property acquisition appraisals updated so staff can make the last few offers they have for this corridor.

Mr. Cohoon provided a brief overview relating to the SW 49<sup>th</sup>/40<sup>th</sup> Avenue at SW 66<sup>th</sup> Street detour project. He advised that the project is currently split into 2 phases with conflicts existing at both SW 66<sup>th</sup> Street and SW 49<sup>th</sup>/40<sup>th</sup> Avenue. He stated nearly the entire corridor is completed with the exception of this tie-in. Mr. Cohoon advised that while the conflicts continue to be worked out, staff needed a way to detour traffic. The Phase 1 detour will temporarily close the segment of SW 66<sup>th</sup> Street west of Interstate 75 (I-75); however, traffic will still be able to travel south on SW 38<sup>th</sup> Avenue and continue down SW 80<sup>th</sup> Street to get back to S.R. 200. Individuals can also travel north and continue down SW 66<sup>th</sup> Street. He stated the public announcement is expected to go out next week with the first week of February anticipated for this detour plan, which will be in place until the end of March, 2026. Mr. Cohoon advised that the timeline can be advanced a little; however, there are utility conflicts that must be resolved prior to moving north/south traffic. He commented on Phase 2, noting at the end of March, the Department will be able to open up the north/south lanes (2 of the 4 lanes) allowing the contractor to build everything that remains to the east and west providing the utility conflicts have been resolved. Mr. Cohoon stated this will take traffic off of the east/west legs, allowing traffic to move north and south. This will provide staff with the ability to give Florida Department of Transportation (FDOT) the green light to close down the SW 66<sup>th</sup> Street bridge over I-75. He advised that the bridge project would take roughly 1 year. Mr. Cohoon stated local

traffic will still be allowed to utilize SW 38<sup>th</sup> Avenue, similarly staff expect SW 66<sup>th</sup> Street to be used for some communities to the north. He advised that there would come a point when 2 lanes are opened up to 4 lanes for north/south movement.

Mr. Cohoon stated the turn lane to the north on SW 42<sup>nd</sup> Street requires a few last permitting items with the City of Ocala and should be completed prior to the opening of the 2 lane section relating to the previous project. He stated he expects to bring back a change order for the Highway 27 and SW 42<sup>nd</sup>/43<sup>rd</sup> intersection, which will be dual lefts in the eastbound direction with an extension of the westbound left turn lane at that intersection.

Chairman Zalak questioned what type of signage will be utilized on S.R. 200 to let individuals know the bridge is closed. Mr. Cohoon advised that Phase 1 will allow SW 66<sup>th</sup> street to continue and go south, noting there will be advanced notification on S.R. 200. He stated it will be critical to beef up that notification on S.R. 200 relating to Phase 2. Mr. Cohoon advised that County engineers will be coordinating with FDOT and the City of Ocala, noting the east side of I-75 will have heavy detour signs in addition to road closure signs.

Chairman Zalak opined that it would be nice to have electronic signs set up ahead of time to notify individuals of the upcoming closures.

Commissioner Stone commented on the large residential developments in the area and stated perhaps a letter should be sent to those HOAs and let them help get the word out via their newsletters or other means.

Chairman Zalak advised that staff could coordinate with Public Relations (PR) Director Bobbi Perez regarding those notices. He opined that bigger signage should be placed in the area.

## **10. COMMITTEE ITEMS:**

### **10.1. Board of Adjustment - Request to Reappoint Incumbent Members to New Terms Ending January 2029**

Executive Assistant Gennifer Medina, Commission Office, presented the following recommendation:

Description/Background: The Board of Adjustment has the following three (3) vacancies due to expiring incumbent terms and the recent loss of one of its members:

- (1) Full member for a new term ending January 2029;
- (1) Full member for an unexpired term ending May 2027;
- (1) Alternate member for a new term ending January 2029.

Incumbents, Nathanael Ramos (Full) and Zilca Diaz (Alternate) would like to be considered for reappointment, with Ms. Diaz moving from Alternate to Full member capacity. No other applications were received during the advertisement period.

Budget/Impact: None.

Recommended Action: Motion to appoint incumbent Nathanael Ramos for a new term ending January 2029, and to appoint Zilca Diaz as full member to serve the remainder of the unexpired term ending May 2027.

Deputy Clerk Windberg advised that Mr. Nathan Ramos received the appropriate votes to serve as a Full member for a new term ending January 2029 and Ms. Zilka Diaz received the appropriate votes moving from Alternate to Full member capacity for an unexpired term ending May 2027.

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A motion was made by Commissioner Stone, seconded by Commissioner McClain, to appoint incumbent Nathanael Ramos for a new term ending January 2029 and to appoint Zilca Diaz as full member to serve the remainder of the unexpired term ending May 2027. The motion was unanimously approved by the Board (5-0).

**10.2. Land Development Regulation Commission - Request to Appoint Incumbent Alternate Member to Full Member, for an Unexpired Term Ending August 2026**

Executive Assistant Medina, Commission Office, presented the following recommendation:

Description/Background: The Land Development Regulation Commission has a full member vacancy resulting from the recent loss of one of the members. Alternate incumbent William "Nate" Chambers would like to be considered to fill this vacancy.

No other applications were received during the advertisement period.

Budget/Impact: None.

Recommended Action: Motion to appoint William "Nate" Chambers as Full Member of the Land Development Regulation Commission, to serve the remainder of an unexpired term ending August 2026.

Deputy Clerk Windberg advised that William "Nate" Chambers received the appropriate votes.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to appoint William "Nate" Chambers as a Full Member of the Land Development Regulation Commission, to serve the remainder of an unexpired term ending August 2026. The motion was unanimously approved by the Board (5-0).

**10.3. Rainbow Lakes Estates MSD Advisory Committee - Request to Appoint One (1) New Member for a Full Term Ending January 2030**

Executive Assistant Medina, Commission Office, presented the following recommendation:

Description/Background: The Rainbow Lakes Estates Advisory Committee has a vacancy after an incumbent chose not to seek reappointment at the end of his term. Five (5) applications were received for consideration during the advertisement period:

- Sandra Haine
- William Oberbeck
- Craig Smith
- Pamela Spicuzza
- Adam Warch

Budget/Impact: None.

Recommended Action: Motion to appoint one (1) applicant to a full term ending January 2030.

Deputy Clerk Windberg advised that Mr. William Oberbeck received the appropriate votes.

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to appoint William Oberbeck to a full term ending January 2030. The motion was unanimously approved by the Board (5-0).

**11. NOTATION FOR ACTION:**

**11.1.** Request Adoption of Resolution to Declare a Public Hearing Date for Consideration of a Road Closure Petition Associated with Tract A of the Carriage Trail Plat, on Tuesday, March 3, 2026, at 10:00 a.m. in the McPherson Governmental Campus Auditorium  
County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: This is a request for approval and execution of a Resolution declaring that a Public Hearing be held to consider a petition made by Willie B. Hayter and Karla S. Hayter to close and abandon Tract A of the Carriage Trail Plat (Plat Book 001 Page 138) to renounce and disclaim any right of the County and the general public.

The request for Road Closure was heard and approved by the Development Review Committee on December 15, 2025.

Budget/Impact: None.

Recommended Action: Motion to adopt and authorize the Chairman and Clerk to execute a Resolution declaring a Public Hearing date on Tuesday, March 3, 2026, at 10:00 a.m. in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to adopt Resolution 26-R-19 approving a workshop to declare a Public Hearing date on Tuesday, March 3, 2026, at 10:00 a.m. in the McPherson Governmental Campus Auditorium. The motion was unanimously approved by the Board (5-0).

Resolution 26-R-19 is entitled:

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
MARION COUNTY, FLORIDA, TO DECLARE A PUBLIC HEARING DATE  
& TIME FOR CONSIDERATION OF CLOSING AND ABANDONMENT OF  
ROAD(S)

## **12. GENERAL PUBLIC COMMENTS:**

Chairman Zalak opened the floor to public comment.

Leonardo Janecek-Rivera, SW 74<sup>th</sup> Court, stated he started a business and purchased land at a tax auction. He commented on his effort to negotiate with neighbors for an easement to place a billboard and the headquarters for his company. Mr. Janecek-Rivera stated he learned that his neighbor's parcel is being acquired by FDOT for a retention pond, noting he hopes to get an easement from FDOT.

Chairman Zalak advised that Mr. Janecek-Rivera will have to contact FDOT or have his attorney reach out, noting it is not something the County controls.

ACA Tracy Straub stated OCE has been working with Mr. Janecek-Rivera and put him in touch with FDOT, noting if they can provide that service, they would.

In response to Chairman Zalak, Mr. Janecek-Rivera advised that FDOT has not yet acquired the property. He stated he owns a flag lot.

Chairman Zalak questioned if the parcel is landlocked. Mr. Janecek-Rivera advised that it is and he needs 40 feet to access his property.

Commissioner Bryant questioned whether Mr. Janecek-Rivera is planning to construct a building and running a commercial operation on that site. Mr. Janecek-Rivera stated he was hoping to have a billboard and if possible, a small headquarters for his business.

Commissioner Bryant advised that the property is zoned General Agriculture (A-1). She commented on the lack of legal access. Commissioner Bryant stated there is a lot that will have to be done before Mr. Janecek-Rivera can build any kind of commercial structure on that property.

Chairman Zalak advised that the court system is the legal remedy to a landlocked parcel.

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Joseph Walker, SE 54<sup>th</sup> Place, Ocklawaha, commented on individuals operating businesses on the right-of-way (ROW).

In response to Chairman Zalak, Mr. Bouyounes stated staff will have to evaluate the matter, noting he is not aware of all the circumstances.

Chairman Zalak advised that Solid Waste and Code Enforcement will both look into the issue.

Chairman Zalak advised that public comment is now closed.

### **13. COMMISSIONER ITEMS:**

#### **13.1. Commission Comments**

Commissioner Stone commented on the Run for the Springs 5K on February 28, 2026, at 8:00 a.m. at Silver Springs State Park. She clarified that participants could walk and are not required to run.

Commissioner Bryant advised that she received an electronic mail (email) relating to a zoning case that the Board denied. She stated those individuals have continued to operate the business as usual, noting the email was from a neighbor and included photographs of the ongoing activity on the property. Commissioner Bryant requested an update on the matter from Code Enforcement/Growth Services. She questioned what the County can do to move forward with some kind of action.

Growth Services Director Chuck Varadin stated he and Code Enforcement Supervisor Robin Hough spoke about this earlier and Code Enforcement will be going out today. He advised that the applicant was denied and cannot store the material at the location. Mr. Varadin stated staff will contact the individual that sent the email to see if they want to be listed on the complaint. If they do not, he will put his name on the complaint.

Commissioner Bryant advised that staff could also list her on the complaint.

Chairman Zalak questioned how to make them cease and desist. Mr. Minter stated it may be similar to the railroad tie issue.

Commissioner Bryant directed staff to put her name on the complaint.

Commissioner Curry questioned the status of the railroad tie issue. Chairman Zalak advised that it is being cleaned up.

Mr. Minter stated progress is being made and a certain amount of the material has been removed.

Commissioner Bryant advised that there was some confusion due to the Department of Environmental Protection (DEP) permit being approved. She stated to her knowledge it is being cleaned up.

Mr. Minter advised that as part of the DEP permit CSX Rail did not give permission for the other entity to utilize the property for that purpose. He stated staff are following up on the matter.

Commissioner McClain stated he is yielding his time to Mr. Bouyounes.

Mr. Bouyounes presented a 1 page handout entitled, "2025-2026 Marion County Commission Liaison Chart", noting it replaces the document under Agenda Item 14.1.3. He advised that by law the designated Commissioner is the Chairman relating to some Boards and on other Boards they are not just a liaison but a voting member. This has been reflected on the chart with 1 asterisk designating the liaison as a voting member

and 2 asterisks indicating they are the Chairman. Mr. Bouyounes stated some of the assignments have been readjusted with permission from Chairman Zalak.

**NEW BUSINESS:** Mr. Bouyounes advised that Senator Stan McClain is requesting funding to do some restoration and dredging at Lake Weir. He stated the application was supposed to be signed by Friends of the Marion County Parks & Recreation; however, they decided they are not able to sign. Mr. Bouyounes advised that staff were in communication with Senator McClain last week and up against a deadline, so staff signed the application. He stated Senator McClain assured them this will not count against the County's appropriations and he will assist the County to secure some of their appropriations. Mr. Bouyounes advised that staff were supposed to call Save Lake Weir and let them know what is being done, noting it is a good project for the lake. If Senator McClain gets the funding, the County will manage the project and move it forward.

Commissioner McClain commented on the timing, noting this will hopefully occur at the same time as the other work being performed on the causeway.

Chairman Zalak requested this matter be placed on the next Agenda under Notation for Action.

Mr. Bouyounes stated once he has all of the forms it will be done.

In response to Chairman Zalak, Mr. Bouyounes stated the Board will act as a 3<sup>rd</sup> party to be able to administer the agreement.

Chairman Zalak advised that he had nothing further to add.

### **13.2. Commission Calendar**

#### **13.2.1. Present Commission Calendar**

The Chairman acknowledged receipt of the Commission calendar covering the period of January 20, 2026 through February 18, 2026.

### **14. NOTATION FOR RECORD:**

#### **14.1. County Administrator Informational Items:**

**14.1.1.** Present Update on 2022-26 Strategic Plan Empowering Marion for Success II for January 2026

**14.1.2.** Notification of Advisory Board Vacancies due to Members Passing

**14.1.3.** Present the 2025-26 Commission Liaison and Projects Chart

**14.1.4.** Present East Central Florida Regional Planning Council Roll Up Report for January 2026

(Ed. Note: This matter was discussed during Commissioner Comments.)

**14.1.5.** Present East Central Florida Regional Planning Council Marion County Housing Study

**14.1.6.** Present the Updated 2026 Schedule of Regular Meetings of the Board of County Commissioners

**14.1.7.** Present Letter Dated December 1, 2025 Regarding Maintenance of SR 200 of Landscape Median and Pedestrian Path

**14.1.8.** Vehicle and Equipment Purchases Fiscal Year 2025-26

#### **14.2. Present Walk-On Items From Previous BCC Meeting: NONE**

#### **14.3. Clerk of the Court:**

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**14.3.1.** Present Revised Fiscal Year 2026-27 Annual Budget and Capital Improvement Program Calendar

**14.3.2.** Present Monthly Report for the Building Department Budget and Actual

**14.3.3.** Present Memorandum from Gregory C. Harrell, Clerk of the Circuit Court and Comptroller, regarding the Filing of Ordinance 25-57 with the Secretary of State's Office

**14.3.4.** Present Letter Dated December 18, 2025 from the City Of Belleview, Development Services Department, Regarding Annexation Ordinance 2025-10 for Parcel No. 45367-000-00

**14.3.5.** Present Regular Report of Utilization for Reserve for Contingencies

**14.4. Present for information and record, minutes and notices received from the following committees and agencies:**

**14.4.1.** Board of Adjustment - December 1, 2025

**14.4.2.** Development Review Committee (DRC) - December 15, 22, and 29, 2025

**14.4.3.** Planning and Zoning Commission - November 24, 2025

**14.4.4.** Parks & Recreation Advisory Council - September 24, 2025

**14.4.5.** Public Safety Coordinating Council (PSCC) - April 28, 2025

**14.5. General Informational Items:**

**14.5.1.** Marion County Health Department – For the Latest health news and information, Visit the Website at <http://marion.floridahealth.gov/>

**14.5.2.** Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at <http://www.WaterMatters.org>

**14.5.3.** St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at <https://www.sjrwmd.com>

**14.5.4.** Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <https://ocalamariontpo.org>

**14.5.5.** Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at <http://www.wrwsa.org>

There was a recess at 10:36 a.m.

The meeting reconvened at 2:00 p.m. with all members present, except Commissioner Curry, who arrived shortly after the meeting commenced.

Also present were: Growth Services Director Chuck Varadin, Deputy Director Ken Weyrauch, Senior Transportation Planner Ken Odom, Planners Jared Rivera and Sarah Wells, Administrative Manager Autumn Williams and Staff Assistant Kim Lamb, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes and ACA Tracy Straub.

**15. PLANNING & ZONING AND DRC WAIVER REQUESTS - REQUEST PROOF OF PUBLICATION (AT 2:00PM):**

Deputy Clerk Mills-McAllister presented proof of publication of Legal ad No. 11955961 entitled, "Notice of Intention to Consider Adoption of an Ordinance" published in the Star Banner newspaper on January 5, 2026. The Notice states the Board will consider adopting an Ordinance approving Comprehensive Plan Amendment, zoning changes and Special Use Permits (SUPs).

County Attorney Matthew G. Minter provided a brief overview of the process for today's zoning and SUP hearings.

Mr. Minter requested that everyone who will be testifying today to please stand and be sworn in en masse.

**15.1. DRC Waiver Requests:**

**15.1.1.** Request for Waiver from Land Development Code Section 6.8.6 - Buffers for a Major Site Plan for Skyworks, Parcel Number 13326-001-00, Application Number 33518 Fire Marshall Ken McCann, Marion County Fire Rescue (MCFR) presented the following recommendation on behalf of the Development Review Committee (DRC):

Description/Background: The applicant, Beau Clymer with Clymer Farnier Barley, Inc, requested a waiver from the Land Development Code (LDC) Section 6.8.6.K(2) for a required B-Type buffer. The LDC Section 6.8.6.K (2) states that a B-Type buffer shall consist of a 20-foot-wide landscape strip with a buffer wall. The buffer shall contain 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 50 percent of the required buffer.

The applicant is requesting to provide 6-foot tall PVC fencing in lieu of the required 6-foot tall buffer wall. The applicant states that a dense tree line exists between the subject property and the adjacent northern parcels.

The subject property is located west of North Hwy 441 and north of NW 63<sup>rd</sup> Street on approximately 6.69 acres.

On December 15, 2025, the Development Review Committee denied the Waiver Request.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's action for the waiver.

Growth Services Director Chuck Varadin provided an overview of the request for a waiver relating to buffers.

Beau Clymer, Clymer Farnier Barley, Inc., SE 17<sup>th</sup> Street, on behalf of the applicant, presented a photograph showing the existing buffer immediately north of the Skyworks site facing southwest. He advised that the request is for a polyvinyl chloride (PVC) fence in lieu of the required concrete wall, noting the cost difference between the two is more than \$50,000.00 over the 561 feet along the northern property boundary. Mr. Clymer stated the roadway to the north in the Wandering Oaks Recreational Vehicle (RV) Park is approximately 450 feet away and has been in the condition described since 1999. The northeast parcel has been vacant since 2009. He commented on the trees being off of the applicant's site, noting if they were removed in the future for development, that owner would be looking at a 6 foot PVC fence rather than a 6 foot wall. Mr. Clymer advised that it appears that due north of the applicant's parcel on the RV park site is an existing spray field for an onsite package plant.

Commissioner Stone questioned the location of the spray field in relation to the applicant's parcel.

In response to Chairman Zalak, Mr. Clymer stated the applicant is proposing a use similar to the Ag-Pro Real Estate Investments IV, LLC, operation to the south (construction equipment sales, leasing, repair, retail and wholesale).

Chairman Zalak advised that the applicant has not offered to double the landscape or add a berm and is requesting to only put up a fence.

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Mr. Clymer stated the applicant is adding a security fence and will also include the PVC fence in lieu of, noting they are working with landscape architect Suzanne Stancil of Michael Pape and Associates, PA. He advised that the fence would provide the same visual buffer. He commented on the trees to the north, which fall outside the applicant's property.

Chairman Zalak stated the applicant cannot count somebody else's buffer, noting he has no control over it because he does not own the property.

Mr. Clymer provided a brief overview relating to the visual impact of the proposed buffer. He advised that from a sound perspective, the applicant believes the RV Park will experience the same sound off adjacent US Highway 301/441, which will not be decreased by a wall. Mr. Clymer referred to a rendering as seen on the overhead screens, noting the spray field is due north of the labels and represented by the light green spots. He stated if that went away there would be a period of time during which the property owner could not build over those spray fields.

In response to Commissioner Stone, Mr. Clymer advised that the property with the spray fields and treed buffer belongs to the RV Park; however, he did not question them about their intention relating to the existing buffer. He referred to a photograph on the overhead screens showing the tree buffer north of the subject parcel.

Commissioner Stone stated she would have been more inclined to view this request more favorably had the applicant spoken with the adjacent property owner and obtained their input.

In response to Chairman Zalak, Mr. Clymer advised that individuals cannot see through the wooded area, noting he feels the applicant is still meeting the intent of the rule. He stated the applicant's property is not visible looking through the existing buffer on the adjacent parcel.

Chairman Zalak advised that the point is for the applicant to buffer their use, noting this is a commercial, heavy business use outside without a buffer that meets Code.

Mr. Clymer stated the applicant is proposing to include trees as part of their landscape buffer.

Commissioner Bryant commented on the lifespan relating to vinyl fences, noting she is in favor of the precast concrete wall recommended by staff.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to agree with the DRC recommendation and deny the waiver request. The motion was unanimously approved by the Board (4-0).

**15.1.2. Request for Waiver from Land Development Code Section 6.12.12.A.-D. - Sidewalks for a Preliminary Plat for River Crest (fka River Run), Parcel Number 3296-000-001, Application Number 33308 (Budget Impact - None)**

Fire Marshall McCann presented the following recommendation on behalf of the DRC:

Description/Background: The Applicant, Rogers Engineering, LLC, requests a waiver to Land Development Code (LDC) Section 6.12.12. A-D. which states:

- A. Sidewalks shall be provided in the Urban Area, Rural Activity Centers, and Specialized Commerce Districts along arterial, collector, and major local streets where these streets adjoin the project and minimally along one side of the internal streets. Sidewalks shall be constructed with all-weather surfaces and shall meet Americans with Disabilities Act, Florida Building Code, and Florida Department of Transportation (FDOT) Design Standards.

- B. Sidewalks outside the right-of-way and independent of the street system are encouraged as an alternative to sidewalks parallel to a roadway, provided equivalent pedestrian needs are met.
- C. The sidewalk system shall provide connectivity between existing and proposed developments.
- D. At the discretion of the Development Review Committee, in lieu of construction along external streets, the developer may pay a sidewalk fee to the County in an amount necessary to complete construction. This amount shall be determined by the project engineer and approved by the County with payment required prior to final plan approval. The County may use these funds toward the construction of sidewalks throughout the County based on priorities established by the Board.

The Applicant has stated that the internal roads serving the subdivision are classified as "Subdivision Local" streets and has interpreted Section 6.12.12.A of the Land Development Code to mean that sidewalks are therefore not required. The subject property is located in the southwest portion of the County on approximately 8.29 acres, within the existing Rainbow Springs Golf and Country Club Estates community and is located within the County's Urban Area as identified by U.S. Census Bureau urban area mapping.

This waiver request was denied by the Development Review Committee (DRC) on December 15, 2025. In denying the request, the DRC interpreted Land Development Code Section 6.12.12 and found that because the subject property is located within the Census-defined Urban Area, Section 6.12.12.A requires sidewalks to be provided minimally along one side of the internal subdivision streets. The DRC further interpreted Section 6.12.12.B and found that the required sidewalk may be located outside of the right-of-way. Based on these interpretations of the Land Development Code, the DRC upheld staff's recommendation for construction of a five-foot-wide sidewalk through Tract A connecting to an existing network of informal pedestrian paths within the former Rainbow Springs Golf Course property.

Budget/Impact: None.

Recommended Action: Motion to uphold DRC's action for the waiver request.

Growth Services Director Varadin stated Items 15.1.2. and 15.1.3. are for the same development, noting one relates to sidewalks and the other pertains to the buffers.

County Engineer Steven Cohoon, Office of the County Engineer (OCE) advised that Item 15.1.2. is a request relating to sidewalks for River Crest formerly known as (fka) River Run, a defunct golf course. He stated there are some sidewalk improvements in this golf course and other areas that are not improved. Staff reviewed the development and recommended sidewalks be placed in the gaps, which the DRC also recommended. Mr. Cohoon provided a brief overview relating to LDC requirements for sidewalks, noting Section 6.12.12.B of the County Code encourages sidewalks be located outside of the right-of-way (ROW) rather than adjacent to the roadway when those opportunities are presented. He referred to the location map on the overhead screens and advised that the red lines represent the gaps that exist relating to the sidewalks. Mr. Cohoon referred to photographs on the overhead screens depicting the current conditions relating to the north and south sides of SW 90<sup>th</sup> Lane Road and the east side of SW 196<sup>th</sup> Avenue Road. Mr. Varadin commented on Item 15.1.3. relating to buffers, noting the project is technically a new subdivision. He referred to a rendering of the proposed plan, noting the applicant

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views the golf course area as part of the common open area for the residents rather than as an existing public use, since the golf course has ceased operations. As a result, the applicant implies that buffers are not required for the new residential area. Mr. Varadin referred to Block A on the rendering, noting there will need to be a Type E buffer for those residences. He advised that staff have spoken to the applicant and questioned whether it is possible to move the lots over.

In response to Commissioner Stone, Mr. Varadin stated the Type C buffer will be located between the new residences and the golf course, noting it is the only buffer waiver being requested.

Chairman Zalak requested Mr. Cohoon provide information relating to the conversation that occurred at the DRC meeting.

Mr. Cohoon advised there was conversation relating to filling in the sidewalk gaps, as well as talk of a shared use path being a reasonable alternative. He clarified that Americans with Disabilities Act (ADA) is sometimes easier to accommodate with shared-use paths than sidewalk.

In response to Chairman Zalak, Mr. Cohoon stated the area that housed the golf course is open space today with semblance of pedestrian activity in those areas, noting there was previously a path of some sort.

Jimmy Gooding, SE 36<sup>th</sup> Avenue, attorney on behalf of the applicant, provided an overview relating to the history of the property, noting it bears directly on the buffers and sidewalks.

Chairman Zalak questioned how this development originated due to a lack of Planned Unit Developments (PUDs) at that time. Mr. Gooding advised that it was formerly a Development of Regional Impact (DRI), noting Senior Planner Chris Rison calculated the density and open space that was available. He stated the applicant is way below that threshold.

In response to Chairman Zalak, Mr. Gooding advised that the DRI did not have any criteria that overrode the LDC.

Commissioner Bryant opined that it would be beneficial for staff to provide an aerial view of that portion of the golf course.

Mr. Gooding referred to Section 6.8.6. of the LDC that states, "It is the intent of this section to eliminate or reduce the negative impacts..." and questioned how that will occur if the homes are buffered from the golf course. He stated that none of the intent relating to buffers is being met. Mr. Gooding advised that staff referred to this as a public use; however, he thinks it is a single family residential (SFR) use at best. He stated this is not a public use; it is a walking path and open space for the residents. Mr. Gooding advised that members of the public are not allowed to go there, they are not using it for any purpose. It is not commercial, people are not charged for walking on it; therefore, the basis for staff requiring the buffer does not apply.

Commissioner Bryant stated the golf course has become a common area for the residents to use.

In response to Chairman Zalak, Mr. Gooding stated the golf course is just an amenity.

Mr. Gooding referred to a photograph on the overhead screens that shows a path described as a sidewalk by staff with existing residential homes to the left and the applicant's property to the right. He commented on another photograph of the houses across the fairway that was taken yesterday, noting there are no planned buffers. The next photo shows a home with some buffer; however, there is not a continuous row. Mr. Gooding advised that the lack of buffers is due to individuals wanting to look out at the

golf course. He commented on the Code requirements for buffers relating to this property, which would obstruct homeowner's views. Mr. Gooding stated there is no legal basis to require a buffer.

Commissioner Curry arrived at 2:35 p.m.

In response to Chairman Zalak, Mr. Minter, agreed there is no basis for a buffer.

Mr. Gooding advised that there are no sidewalks in the area; however, there are golf cart paths. He stated sidewalks can be required along arterial, collector and major local streets, noting none of the roads next to the subject parcel meet that criteria. The only other place sidewalks can be required is minimally along 1 side of the internal streets. Mr. Gooding advised that the street on the road side of the property cannot be counted because it is not internal to this project, it is from the previous plat. He commented on the language relating to sidewalks being required along adjoining arterial, collector and major local streets, but not internal streets.

Chairman Zalak questioned if the road is still interior and providing access to the home even if it is not on the same plat, how can it not count. Mr. Gooding stated the roads that adjoin the project are not arterial, collector or major local streets. He advised that the language in regard to internal streets does not say adjoining internal streets like the other roadways.

In response to Chairman Zalak, Mr. Gooding stated there are no sidewalks, just some golf cart paths. He advised that this is a whole new plat without any interior streets, noting the applicant is going to join the Property Owners' Association (POA) and the new plat will become part of the DRI.

In response to Chairman Zalak, Mr. Minter agreed that there is no legal basis to require the sidewalks.

Commissioner Bryant questioned whether the applicant would bring the plat back to the Board.

Chairman Zalak stated ACA Tracy Straub will approve the final plat.

Commissioner Bryant commented on the proposed units across the street and questioned whether the residents will still have access to that path. Mr. Gooding advised that they would.

ACA Tracy Straub advised that staff are trying to connect where the project is disrupting some of the access points that were provided to the golf cart paths or the paths that have been created. She stated staff was trying to get those connections back.

Davis Dinkins, NE 1<sup>st</sup> Avenue, on behalf of the applicant, advised that there would be a connection, noting there will be 4 lots on the north side of the road. He stated there is more road frontage of the old golf course fairway than the frontage being consumed by the 4 lots. Mr. Dinkins referred to the aerial photograph on the overhead screens, noting a small section of the path that will be impacted by the project will be reconfigured to maintain continuity of the existing portions that were already present. He advised that the applicant does not want to interconnect the segments that were not there already.

In response to Commissioner Bryant, Mr. Dinkins stated an individual crossing the path from the south can cross SW 9<sup>th</sup> Lane and continue to have access to that amenity on the north side.

Chairman Zalak advised that Ms. Straub can verify that it can be seen in the plat that is delivered. He stated the striping will also be enhanced.

In response to Commissioner Bryant, Mr. Dinkins stated the area being disrupted along SW 196<sup>th</sup> Avenue Road where the new lots are proposed will be fixed so it still exists. He advised that if there is an existing improved surface there, the applicant would be

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replacing it with some type of improved surface that is consistent with what is in place. The applicant does not intend to improve the areas with gaps in between.

Commissioner Bryant questioned whether the applicant would make sure to maintain that path, improved or not (even a foot path) for the residents so they still have access to that amenity. Mr. Dinkins stated they would.

Commissioner Bryant requested the improvements be like-for-like surfaces and the amenity stays intact for the residents of Rainbow Springs. She commented on the phenomenal job the applicant has done.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to disagree with the DRC recommendation and approve the waiver request with the Conditions that continuity of existing paths will be preserved through the plat process with like-for-like materials unless the applicant wants to make it better. The motion was unanimously approved by the Board (5-0).

**15.1.3. Request for Waiver from Land Development Code Section 6.8.6 - Buffers for a Preliminary Plat for River Crest (fka River Run), Parcel Number 3296-000-001, Application Number 33308**

Fire Marshall McCann, MCFR, presented the following recommendation on behalf of the DRC:

Description/Background: The applicant, Rogers Engineering LLC, requested a waiver from the Land Development Code (LDC) Section 6.8.6.K(3) for a required C-Type buffer. The applicant's preliminary plat application proposes developing 24 single-family residential (SFR) lots, using the remaining 24 vested residential dwelling units of the Village of Rainbow Springs. Since this is a new subdivision, LDC Section 6.8.6 requires a C-Type buffer for new residential uses developing next to existing public uses (i.e., the golf course).

A C-Type buffer shall consist of a 15-foot-wide landscape strip without a buffer wall. The buffer shall contain 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 50 percent of the required buffer and form a layered landscape screen with a minimum height of three feet achieved within one year.

The applicant views the golf course area as part of the common open area for the residents rather than as an existing public use since the golf course has ceased operations. As a result, the applicant implies that buffers are not required for the new residential area.

The subject property is approximately 8.29 acres. It is in the southwest portion of the County, approximately a mile south of the intersection of W Hwy 40 and S US Hwy 41 and north of SW 99<sup>th</sup> Place, near Dunnellon.

This waiver request was denied by the Development Review Committee on December 15, 2025.

Budget/Impact: None.

Recommended Action: Motion to uphold the Development Review Committee's action for the waiver.

This matter was addressed with Agenda Item 15.1.2.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to disagree with the DRC recommendation and approve the waiver request. The motion was unanimously approved by the Board (5-0).

## **15.2. Present Cover Documents from Planning and Zoning Commission Public Hearing**

### **15.3. Planning and Zoning Items for Individual Consideration:**

**15.3.1.** 251004SU - Kevin and Barbara Marovich, Special Use Permit to Allow for a Mini-Farm Operation, in a Single-Family Dwelling (R-1) Zone, 11.78 Acres, Parcel Account Number 36142-000-00, Site Address 7600 S Magnolia Avenue, Ocala FL 34476

The Board considered a petition by Barbara & Kevin Marovich, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow for mini farm operations in an 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

P&Z PUBLIC HEARING ON SEPTEMBER 29, 2025

251004SU Planning and Zoning Commission Recommendation

Motion was made by Mr. Gaekwad, seconded by Mr. Johnson, to agree with staff's findings and recommendation, and recommend approval of the Special Use Permit based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 3-1 with Mr. Bonner dissenting.

Senior Transportation Planner Kenneth Odom, Growth Services, presented a brief overview of the request for a SUP to allow for mini farm operations, in a Single-Family Dwelling (R-1) zone. He clarified that the applicant is requesting up to 3 horses or miniature (mini) cows, 6 sheep and goats and 40 chickens on the site. Mr. Odom advised that staff's recommendations have already paired those requests down.

Chairman Zalak passed the gavel to Commissioner McClain, who assumed the chair. Commissioner Zalak out at 2:47 p.m.

Mr. Odom stated the recommendations were based on discussions with the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS) and Agriculture Investigator Justin McClure, Marion County Sheriff's Office (MCSO), noting Mr. McClure is present today to answer any Board questions. He advised that the recommendations ended up being either 3 horses or mini-cows, or the 6 sheep and goat, but not full numbers of both sets of ungulates and ruminants. Mr. Odom provided an overview relating to the subject parcel and commented on the conceptual plan provided to staff. He stated there is a driveway off of County Road (CR) 475 and another accessibility point on the rear of the property on SW 5<sup>th</sup> Avenue. The applicant is requesting to use the access on SW 5<sup>th</sup> Avenue; however, OCE did not approve due to the need to extend the road and the multiple existing driveways used for single family residences. OCE is only recommending access from CR 475, especially if animals are being brought in and out and crops being taken offsite for sale. Mr. Odom advised that when staff were onsite they noticed there are some items placed in close proximity to some of the property boundaries, specifically water tanks that will have to be moved back. He stated staff are recommending a Type B buffer across the flag driveway and property (Parcel ID 36166-000-00) north of the western portion of the subject parcel on the concept plan seen on the overhead screens. Mr. Odom advised that staff recommend a fence and not a wall at the location. He referred to a red line on the concept plan, which would be a secondary driveway that would be extended off of CR 475. OCE did not recommend approval of the secondary driveway.

Mr. Odom referred to aerial photographs depicting the flood prone area identified by the County, noting manure from the animals or the animal paddocks would need to be placed within the back of the property not in the potential flood zone. He stated Condition 2 in the Agenda Packet has been changed and a Stormwater Compliance Plan will be sufficient to address the flood prone area onsite.

Commissioner Zalak returned at 2:54 p.m.

Chairman McClain returned the gavel to Commissioner Zalak, who resumed the Chair.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval of the SUP with the following Conditions:

1. The site shall be developed and operated consistent with the concept plan.
2. A Major Site Plan, or a Stormwater Compliance waiver consistent with Section 2.10 of the Marion County Land Development Code (LDC), shall be required at the time of development. †††
3. The Special Use Permit shall run with the property owner, Kevin and Barbara Marovich.
4. No commercial sales shall occur within the subject property, nor shall any advertising be permitted within the subject property boundary.
5. Ingress/egress for all activity related to manure and/or sales shall be limited to S Magnolia Avenue. Access from S Magnolia Avenue shall be limited to a single apron.\*
6. The Manure Storage Area shall, at the very least, be contained within a fully enclosed receptacle at least 100 feet from all residential properties. The receptacle shall face toward the interior of the subject property.\*\*
7. A 20-foot landscaping buffer shall be installed along PID 36166-000-00. The buffer shall consist of hedges and a four-foot decorative fence. The hedges shall reach a minimum height of six (6) feet within two (2) years. The existing wooden fence on the subject property may be used in lieu of a new fence.  
\*\*\*
  - a. To the greatest extent possible, existing trees within twenty (20) feet of the subject property boundary shall be preserved to provide a "natural buffer" between the subject property and adjacent properties. Only trees within ten (10) feet of the subject property boundary shall be preserved when adjacent to the proposed driveway bifurcation.
8. All fences shall be located along or within the subject property boundary.
9. All agricultural structures shall meet twenty-five (25) feet setbacks from residentially-zoned properties. † / ††
  - a. Beehives and other structures Beehives and other structures for the purpose of beekeeping shall meet twenty-five (25) feet setbacks from all properties.
10. Up to forty (40) chickens shall be permitted within an 800 square-foot chicken coop. Chickens shall be contained within a fully enclosed chicken coop and/or fenced pen area at all times, subject to the following conditions:
  - a. The coop and fenced pen area shall be setback twenty (20) feet from any adjacent residential unit.
  - b. The coop and pen area shall be kept in a clean sanitary manner, free of insects and rodents, offensive odors, excessive noise, or any other condition that may constitute a nuisance.

- c. Stored feed shall be secured in metal containers to prevent mice and other pests.
  - d. No routine slaughtering of the hens shall be allowed on the subject site.
11. Up to three (3) horses or miniature cows, OR up to six (6) sheep or goats, shall be permitted on at least two (2) acres of pasture area, with feed to be supplemented by hay. ‡
12. The Special Use Permit shall expire on October 21, 2028; however, it may be renewed administratively three times for three 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).

Kevin Marovich, South Magnolia Avenue, applicant, advised that during this process the setbacks have changed and he is giving up 17 feet of property around the whole perimeter, access to a public access road, agreed to purchase a sealed receptacle for manure and have it removed by driving down the entire property, side of his home and out his driveway to South Magnolia Avenue. He stated he has agreed to a 20 foot landscape buffer and is requesting a change in the number of animals to 3 horses, 6 mini cows and 4 goats. Mr. Marovich advised that his request is less than what is allowed by the County's Code. Due to the vague description of a large animal, he would prefer to have a weight limit such as 4,500 pounds (lbs.) of livestock in any combination, excluding pigs.

In response to Commissioner Bryant, Mr. Marovich clarified that the request is for 3 horses, 6 mini cows, 4 mini goats, noting they are all mini animals and that is what he means by mini farm. The cows are mini Highlands.

Commissioner Bryant commented on a conversation she had with an individual that knows Mr. Marovich and stated the amount of animals requested was not the applicant's intent; however, he was advised to increase the amount above what he wanted.

Mr. Marovich concurred, noting that was County staff's direction. He advised that he wants 2 breeding pairs of the mini cows and their offspring (6 total), 4 pygmy goats, and 40 chickens.

Barbara Marovich, South Magnolia Avenue, applicant, advised that they want the 40 chickens so they can sell eggs offsite. She stated the request for a horse is just in case her son wants horses at a later date.

Commissioner Bryant commented on removing the horses from the request, noting the applicants can come back and ask for a revision to the SUP.

In response to Commissioner Bryant, Ms. Marovich advised that the plan for the orchard is to have 18 fruit trees and the request will possibly include bees.

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Mr. Marovich stated he was directed to ask for everything he could ever want and that is what occurred.

Chairman Zalak requested Mr. McClure address the animal density that is viable on the Marovich's property.

Agriculture Investigator Justin McClure, MCSO, advised that the recommendation was based off of the amount of green space that is available, noting the number would be higher if the entire property could be considered. He stated the Marovich's take great care of the property, and he does not believe there will be an issue with their ability to adequately maintain the pastures. They have a plan to rotate the paddocks, and he is comfortable with their alternative recommendation for the 2 breeding pairs of mini cows and the goats. The issue arises when it comes to adding the horses. Mr. McClure commented on the steps that would be necessary to mitigate the impacts of adding 1 horse. He advised that the entire greenspace was 3.24 acres when he mapped it, but based on the applicant's plan it appears to be roughly 2 acres due to the orchard and the apiary.

In response to Commissioner Stone, Mr. McClure stated if the applicant adds 1 horse, the 2 breeding pairs and the goats, they will be fine as long as they properly maintain the property.

Mr. Marovich advised that he plans to supplement the feed with hay.

Chairman Zalak opened the floor to public comment.

Samantha Smith, South Magnolia Avenue, requested clarification regarding the number of animals allowed in Condition 11. She expressed concern relating to the elevation and run off of insecticides and pesticides, noting the water district does not currently classify the area as delineated and she would like to see that stay the same.

Toni Leitner, SW 74<sup>th</sup> Lane, commented on the lack of transparency, procedural failures, issue with notification relating to a previous meeting, the applicants' association with Jetstream Farms, Inc., commercial sales, flood prone areas, drainage and contamination. Chairman Zalak commented on individuals setting up a company name or LLCs to protect assets, noting it happens all the time. He questioned what problem Ms. Leitner saw with the application that was done incorrectly by the applicant or County staff that would make it null and void.

Ms. Leitner stated proper noticing did not occur relating to the very first meeting; however, there is nothing with the application that was done incorrectly by staff or the applicant.

In response to Chairman Zalak, Ms. Leitner advised that she did receive the notice for this meeting.

Bill Schaeffer, SW 74<sup>th</sup> Lane, commented on staff's recommendation relating to egress on South Magnolia, noting the site plan showed a bifurcated roadway that was addressed today.

Commissioner Stone stated there is a red line on the site plan indicating there will be a new roadway. She requested clarification relating to where the roadway is today and where it will be located in the future.

Deputy Growth Services Director Ken Weyrauch advised that the red line depicts what would be the applicant's new driveway, noting the current driveway traverses the property of their neighbor to the south.

In response to Chairman Zalak, Mr. Schaeffer stated the site plan does not make clear how extensive the wetlands are. He advised that it appears individuals can go around the area designated as a pond (sinkhole); however, it floods and is marshy.

Commissioner Bryant commented on the amount of foliage that will have to be removed.

Mr. Odom stated the portion of the site with the foliage buffer is not declared as wetlands, but it is identified as flood prone area within Marion County by the Stormwater Division. He advised that it is not a Federal Emergency Management Agency (FEMA) identified floodplain.

Kimberly Scott, SW 5<sup>th</sup> Avenue, stated she lives in front of the areas proposed to house the animals the Marovich's are requesting. She expressed support for the project and opposition to the buffer, noting she wants to enjoy the view of the animals.

Mr. Marovich advised that the land slopes from southwest to northeast, which moves away from the property to the south. He stated he has a business name due to the need to declare income from the products he will sell. Mr. Marovich advised that the new driveway is proposed and has not been done yet, noting it will take a tremendous amount of work. He stated he does not want to remove the foliage and originally requested an extra driveway that would cut out approximately 200 feet of that road, but was denied. Mr. Marovich advised that he could use the existing driveway; however, that would bring everything right next to his home and down a shared driveway.

Commissioner Bryant questioned where the legal access to Mr. Marovich's home is located. Mr. Marovich stated it is the driveway that he shares with the Rozanski's.

In response to Commissioner Bryant, Mr. Marovich advised that he is unsure if he has deeded access on the northwest corner of his property; however, according to Planning and Zoning Supervisor Cindy Garr they do have legal access.

Commissioner Bryant questioned why the applicant is required to build another driveway/access off of Highway 475.

Mr. Odom stated the neighborhood apparently maintains the road in question and neighbors have expressed concern relating to the applicant adding traffic from a heavy vehicle.

Ms. Scott advised that it used to be a dirt road until the neighbors got together and provided funds to construct the road, so it is privately maintained.

Chairman Zalak advised that public comment is now closed.

Ms. Straub commented on the maintenance of the road.

Commissioner McClain stated the Marovich's could join in the Municipal Services Taxing Unit (MSTU).

In response to Chairman Zalak, Commissioner Bryant advised that the Marovich's could pay their neighbors to use that road.

Ms. Marovich stated they have offered. She advised that she does not use pesticides or fertilizers to maintain the orchards.

In response to Chairman Zalak, Mr. Odom stated the applicant was trying to establish access that is solely on their own property.

Commissioner Stone questioned if the applicant wants to construct a new access or if it was a request by staff. Mr. Odom advised the new access was a request by staff.

In response to Commissioner Stone, Mr. Marovich stated he is unsure if his neighbor has an issue with him utilizing the shared driveway.

Chairman Zalak questioned if that neighbor has submitted any opposition to the request.

Ms. Marovich stated the neighbor is not opposed; however, \$100,000.00 was recently invested into that driveway and she does not want to cause it to be damaged.

In response to Chairman Zalak, Mr. Marovich advised that he does not want to construct a new driveway.

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Commissioner Stone stated the Marovich's should utilize their current driveway and not be required to construct another. She opined that they should not be allowed to use a roadway that has already been paid for by other individuals.

In response to Chairman Zalak, Mr. Odom advised that the way Condition 5 is written it specifically limits the manure truck to ingress/egress on South Magnolia Avenue.

Commissioner Bryant questioned the size of the manure truck.

Mr. Marovich stated it is the same size as a regular garbage truck or smaller, noting it is sometimes done with pick up sized trucks depending on what vehicle the company sends out on any given day.

Ms. Straub advised that if the applicant were to keep the driveway on their own property, they would have to go to close to the north property line and remove trees.

In response to Chairman Zalak, Mr. Odom advised that there is nothing in Condition 5 making them utilize the proposed driveway, noting it was just conceptual.

Commissioner Bryant opined that the applicant should not be restricted from using the access near the northwest corner of their property if they are able to work it out with their neighbors.

In response to Chairman Zalak, Mr. Odom stated the landscape buffer can be adjusted relating to the Scott's property.

Commissioner Bryant questioned the buffering on the southern and western sides. Mr. Odom advised that there were no Conditions relating to buffers for those locations. He stated despite the zoning being R-1 to A-1, the uses are essentially agriculture to agriculture.

Chairman Zalak commented on Condition 11 relating to animals.

Ms. Marovich advised that there would not be horses on the property.

Chairman Zalak clarified that there would be 6 miniature cows, 4 pygmy goats and at least 2 acres of pasture land with feed and supplemental hay.

In response to Commissioner Curry, Chairman Zalak stated Condition 10 will allow for up to 40 chickens.

Commissioner Stone requested information regarding the proximity of the subject parcel to the Urban Growth Boundary (UGB).

Mr. Odom referred to a map on the overhead screens showing the subject parcel outside the UGB.

In response to Commissioner Bryant, Mr. Odom advised that there was no exclusion written preventing the Marovich's from working out an agreement with neighbors for access via the northwest corner of their property if it can be done.

Commissioner Bryant stated there will be no buffer along the Field or Scott properties.

Commissioner Curry questioned the length of the SUP. Mr. Odom stated the SUP is effective for 3 year segments, can be renewed administratively and runs with the current property owner not the land.

In response to Commissioner Bryant, Mr. Bouyounes advised that the Board has issued SUPs for both 3 and 5 year periods.

She requested the time frame be changed to 5 years.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to adopt Resolution 26-R-20 granting the SUP request with Conditions 1 through 12 as amended below, agreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

Resolution 26-R-20 contains the following Conditions:

1. The site shall be developed and operated consistent with the submitted concept plan, Exhibit A, excluding the agricultural employee unit.
2. A Stormwater Compliance Plan, consistent with Section 2.10 of the Marion County Land Development Code (LDC), shall be required at the time of development.
3. The Special Use Permit shall run with the current property owner, Kevin and Barbara Marovich, and shall terminate upon transfer of ownership.
4. No commercial sales shall occur within the subject property, nor shall any advertising be permitted within the subject property boundary.
5. Ingress/egress for all activity related to manure shall be limited to S Magnolia Avenue, through a driveway as determined by the applicant. Access from S Magnolia Avenue shall remain limited to a single apron.
6. The Manure Storage Area shall, at the very least, be contained within a fully-enclosed receptacle at least 100 feet from all residential properties. The receptacle shall face toward the interior of the subject property.
7. A 20-foot landscaping buffer shall be installed along the residential yard of PID 36166-000-00, currently owned by Amy Burke Morris and Patrick Deck. A buffer shall not be required along the portion of the Morris/Deck property associated with driveway access, which is adjacent to PID 36166-006-00, currently owned by Kimberly Fielder. The buffer shall consist of hedges and a four-foot decorative fence. The hedges shall reach a minimum height of six (6) feet within two (2) years. The existing wooden fence on the subject property may be used in lieu of a new fence.
  - a. To the greatest extent possible, existing trees within twenty (20 ) feet of the subject property boundary shall be preserved to provide a "natural buffer" between the subject property and adjacent properties. Upon the case that a bifurcated driveway is installed, only trees within ten (10) feet of the subject property boundary shall be preserved.
8. All fences shall be located along or within the subject property boundary.
9. All agricultural structures shall meet twenty-five (25) feet setbacks from residentially zoned properties.
  - a. Beehives and other structures for the purpose of beekeeping shall meet twenty-five (25) feet setbacks from all properties.
10. Up to forty (40) chickens shall be permitted within an 800 square-foot chicken coop. Chickens shall be contained within a fully enclosed chicken coop and/or fenced pen area at all times, subject to the following conditions:
  - a. The coop and fenced pen area shall be setback twenty (20) feet from any adjacent residential unit.
  - b. The coop and pen area shall be kept in a clean, sanitary manner, free of insects and rodents, offensive odors, excessive noise, or any other condition that may constitute a nuisance.
  - c. Stored feed shall be secured in metal containers to prevent mice and other pests.
  - d. Routine slaughtering of the hens (for commercial purposes) shall not be allowed on the subject site.

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11. Up to six (6) miniature cows and up to four (4) pygmy goats shall be permitted on at least two (2) acres of pasture area, with the feed to be supplemented by hay.
12. The Special Use Permit shall expire on January 20, 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 or 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).

**15.3.2.** 260101SU - Alain Alberto Gonzalez & Darianny Serrano Mulet, Special Use Permit, to Allow for Commercial Parking of Two (2) Dump Trucks, in a General Agriculture (A-1) Zone, 4.58 Acre Parcel, on Parcel Account Number 3499-000-007, Site Address 10750 SW 105<sup>th</sup> Street, Ocala, FL 34481

The Board considered a petition by Alain Alberto Gonzalez & Darianny Serrano Mulet, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow for commercial parking of two (2) 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 105<sup>th</sup> Street, Ocala, FL 34481

P&Z PUBLIC HEARING ON DECEMBER 29, 2025

260101SU Planning and Zoning Commission Recommendation

Motion was made by Mr. Behar, seconded by Mr. Bonner, to agree with staff's findings and recommendation, and recommend denial of the Special Use Permit based on the following findings of fact:

1. Will adversely affect the public interest
2. Is not consistent with the Marion County Comprehensive Plan
3. Is not compatible with the surrounding land uses

The Motion passed 4-1 with Mr. Lord dissenting.

Deputy Director Weyrauch, Growth Services, presented a brief overview of the request for a SUP to allow for Commercial parking of two (2) dump trucks, in an A-1 Zone. He advised that there are alternative Conditions that include a reduction to 1 dump truck instead of 2.

Commissioner Bryant out at 3:39 p.m.

In response to Chairman Zalak, Mr. Weyrauch stated the Conditions are the normal one's staff imposes for these types of requests with an 8 foot wooden fence in the front and on the side where there is residential. He advised that applicants are informed that screening of vehicles is important when they are applying. Mr. Weyrauch stated staff may not say the screening should be as tall as the vehicle, but they do recommend 6 to 8 feet. He advised that a permit is required for anything over 6 feet.

Chairman Zalak expressed concern with only screening a portion of the vehicle.

Mr. Weyrauch stated staff can make that change moving forward.

In response to Chairman Zalak, Mr. Weyrauch advised that there is an open Code Enforcement case that was self-generated by a Code Officer who was there for another reason.

It was noted that Growth Services Department staff and the P&Z Commission recommend denial. If the Board grants the SUP, staff recommends the following approval Conditions:

1. The site shall be developed and operated consistent with the concept plan. Any required improvements shall be provided within ninety (90) days of approval.\*
2. The Special Use Permit shall run with the property owner(s), Alain Alberto Gonzalez and Darianny Serrano Mulet.
3. This Special Use Permit shall be limited to one (1) dump truck (VIN 2FZHAZCK95AU11879 or 1FU7FY9372B19810).
4. Loaded vehicles shall not be permitted on the subject property. Commercial vehicles shall be unloaded prior to entering the subject property.
5. No mechanical repairs or maintenance of commercial vehicles shall occur within the subject property.
6. The commercial vehicle shall be parked within the designated parking area at all times.
  - a. A paved parking area shall accommodate the entire commercial vehicle.
7. The designated parking area shall be screened from SW 105<sup>th</sup> Street and along PID 3499-000-006 to the east through an opaque privacy fence up to eight (8) feet in height.
8. The unpaved gateway currently used by dump trucks shall no longer be used for vehicular access. The existing paved driveway along SW 105<sup>th</sup> Street, which serves as the primary residential entrance, shall be constructed to commercial driveway standards and shall be used for the ingress and egress of commercial vehicle(s).\*\*
9. The Special Use Permit shall expire on January 20, 2029.

\*Condition was amended following the publication of the initial Staff report and prior to the Planning & Zoning (P&Z) Commission hearing.

\*\*Condition was amended following the Planning & Zoning (P&Z) Commission hearing for clarification purposes.

Darianny Serrano, SW 105<sup>th</sup> Street, applicant, requested that the Board approve her application to park both dump trucks at the location.

Commissioner Bryant returned at 3:42 p.m.

Ms. Serrano stated she has lived at the address for 6 months and does not have any problems with her neighbors. She advised that on the same street there is heavy equipment and machinery. Ms. Serrano commented on the ongoing construction relating to the mine. She commented on the difficulty associated with meeting all of the Conditions within a short period of time.

Chairman Zalak opened the floor to public comment.

There being none, Chairman Zalak advised that public comment is now closed.

Commissioner Stone stated this area is going to develop, noting On Top of the World (OTOW) is going to develop pretty fast.

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Commissioner McClain commented on the aerial view of the area that shows an existing buffer between the subject parcel and OTOW. He noted there are currently mining operations in the areas as well.

In response to Commissioner Stone, Mr. Weyrauch advised that OTOW did receive notification of this request and staff has received no opposition to the application.

Chairman Zalak stated if the request is approved, the property needs to be screened.

Commissioner McClain questioned the length of the SUP. Mr. Weyrauch advised that it is for 3 years.

Commissioner McClain stated there could be a Condition requiring the trucks to be kept to the rear of the property, noting they are currently at the front.

Mr. Weyrauch concurred.

Chairman Zalak opined that the trucks need to be off the property lines. He requested staff make a recommendation relating to the screening.

Mr. Weyrauch advised that a 10 foot high screening would be adequate.

Commissioner McClain commented on trees located on the subject parcel and requested Mr. Weyrauch see if the applicant can park the trucks there along with the screening.

In response to Mr. Weyrauch, Chairman Zalak stated the applicant should be allowed 90 days to install the required screening.

Chairman Zalak questioned whether the applicant could get the screening up in 90 days if the request is approved. Ms. Serrano advised that it could be done.

In response to Ms. Serrano, Chairman Zalak stated a building permit will be required relating to the screening and staff can help her.

Commissioner Stone questioned the type of fencing required for screening the trucks. Chairman Zalak advised that it needs to be opaque.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt Resolution 26-R-21 granting the Special Use Permit request with Conditions 1 through 9 as amended below, disagreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

Resolution 26-R-21 contains the following Conditions:

1. The site shall be developed and operated consistent with the submitted concept plan, Exhibit A. Any required improvements shall be provided within ninety (90) days of approval.
2. The Special Use Permit shall run with the property owner(s), Alain Alberto Gonzalez and Darianny Serrano Mulet, and shall terminate upon sale of the property.
3. This Special Use Permit shall be limited to two (2) dump trucks (VIN 2FZHAZCK95AU11879 and 1FU7FY9372B19810).
4. Loaded vehicles shall not be permitted on the subject property. The dump trucks shall be unloaded prior to entering the subject property.
5. No mechanical repairs or maintenance of the dump trucks shall occur within the subject property.
6. The dump trucks shall be parked within the designated parking area at all times.
  - a. A paved parking area shall accommodate the dump trucks.

7. The designated parking area shall be screened through an opaque privacy fence up to ten (10) feet in height.
8. The unpaved gateway currently used by the dump trucks shall no longer be used for vehicular access. The existing paved driveway along SW 105<sup>th</sup> Street, which serves as the primary residential entrance, shall be constructed to commercial driveway standards and shall be used for the ingress and egress of the dump trucks.
9. The Special Use Permit shall expire on January 20, 2029; however, it may be renewed administratively three times for three 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).

**15.3.3.** 250903ZC - 520 NE 82<sup>nd</sup> Terrace LLC, Zoning Change from General Agriculture (A-1), Regional Business (B-4), and Heavy Business (B-5) to Rural Activity Center (RAC), for All Permitted Uses, 7.65 Acre Tract, Parcel Account Numbers 44812-000-00 and 44812-001-00, Site Addresses 16262, 16264, and 16340 S Highway 475 Summerfield, FL 34491

The Board considered a petition by 520 NE 82<sup>nd</sup> Terrace LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1), Regional Business (B-4), and Heavy Business (B-5) to Rural Activity Center (RAC), for all permitted uses, on an approximate 7.65 Acre Tract, on Parcel Account Numbers 44812-000-00 and 44812-001-00, Site Addresses 16262, 16264, and 16340 S Highway 475 Summerfield, FL 34491

P&Z PUBLIC HEARING ON DECEMBER 29, 2025

250903ZC Planning and Zoning Commission Recommendation

Motion was made by Mr. Bonner, seconded by Mr. Johnson, to agree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously 5-0.

Growth Services Deputy Director Ken Weyrauch advised that the applicant has requested the rezoning request from A-1, B-4 and B-5 to RAC be continued, noting they are applying for a SUP and would like both applications to be heard at the same time. He clarified that the continuance would be April 21, 2026.

Chairman Zalak opened the floor to public comment.

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Michael Hames, SE 162<sup>nd</sup> Place, Summerfield, stated the easement to his property runs all the way down the side of this property. He expressed concern relating to the loss of rural character, noting his family has resided on the property since 1880. Mr. Hames advised that this is a private road that he maintains.

In response to Chairman Zalak, Mr. Weyrauch provided an overview of the zonings and land use as seen on the overhead screens. He stated the area zoned B-5 can retain that zoning but is limited to the RAC uses. The B-4 is vacant and along with the A-1 zoned area would need to be rezoned to RAC to be developed as RAC. Mr. Weyrauch stated during discussions the applicant advised that they would prefer to rezone the entire piece to RAC so there are no questions in the future relating to allowable uses.

Mr. Hames commented on the future construction of an overpass on Interstate 75 (I-75) to SE Highway 42, which runs along the back side of his property. He expressed concern relating to the traffic and retail development.

In response to Mr. Hames, Mr. Weyrauch advised that the SUP would be for small distribution out of the B-5 portion and outdoor storage in the vacant area.

Mr. Hames reiterated that he maintains that road with his tractor.

Mr. Weyrauch stated access is easy to Condition through the SUP.

In response to Chairman Zalak, Mr. Hames advised that Planner Erik Kramer has his contact information.

Chairman Zalak requested staff contact Mr. Hames when the SUP application comes in so he is notified. He stated the new hearing date will be April 21, 2026.

Chairman Zalak advised that public comment is now closed.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to continue this matter to April 21, 2026. The motion was unanimously approved by the Board (5-0).

**15.3.4. 260107ZP - Midway 65 LLC., Zoning Change from Single-Family Dwelling (R-1) to Planned Unit Development (PUD) for a maximum of 329 detached single-family homes, 110.14 acres, Parcel Account Number 9027-0000-02, No Address Assigned**

The Board considered a petition by Midway 65 LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, 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

P&Z PUBLIC HEARING ON DECEMBER 29, 2025

260107ZP Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Johnson, to agree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously 5-0.

Planner Kathleen Brugnoli, Growth Services, commented on the request for a zoning change from R-1 to PUD for a maximum of 329 detached single-family homes on 110.14 acres.

In response to Commissioner Bryant, Ms. Brugnoli advised that the applicant currently has the right to develop at 1 to 4 dwelling units per acre (du/ac) for the Medium Residential

(MR) portion and 4 to 8 du/ac for the High Residential (HR). She stated initially the entire parcel was HR; however, the applicant went through the DRC process utilizing Policy 2.1.2 of the Comprehensive Plan to request a stepdown that was granted. Ms. Brugnoli advised that 47.53 acres was changed to MR.

In response to Commissioner Bryant, Ms. Brugnoli advised that the total acreage of the parcel is 110.14 acres. She stated the minimum requirement for the project is 299 units and 690 units is the maximum.

Commissioner Curry questioned if the lots will be 70 feet in size. Ms. Brugnoli advised that the lot size would be based on what was agreed upon and approved.

Ms. Brugnoli provided an overview of the existing surrounding uses and nearby residential development in both the development review and building permit phases. She referred to the Concept Plan as seen on the overhead screens, noting the product will be single-family detached homes with lot sizes of 40'x120' (289 units) and 50'x120' (40 units). Ms. Brugnoli commented on the proposed development standards including the setbacks, maximum building heights for homes and accessory buildings. She stated the conservation easement comprises roughly 24.5 acres of the open area that is recorded and can be seen on the property record card. Ms. Brugnoli advised that the amenities will be located in the northern area and will include a walking trail with benches throughout, a covered shelter near the playground, a recreational field and 2 pickleball courts. She stated a couple of the buffers have changed since the P&Z Commission heard this case due to the desire to provide a no touch buffer for the conservation areas. Ms. Brugnoli referred to a rendering on the overhead screens depicting the areas designated for the no touch buffers in green; a standard 15 foot Type C buffer identified in red; and a 5 foot Type E buffer in blue. She commented on the proposed project's impacts relating to fire and ambulance services and provided a brief overview relating to traffic. Ms. Brugnoli addressed the access to the project, noting Bahia Trace will have to be realigned to integrate into the development. She advised that the westernmost access point is not currently connected to the east; however, the applicant is proposing to abrogate a portion of Bahia Trace and change the alignment resulting in 4 access points to the development. Ms. Brugnoli provided an overview of the roadways in the area, which are maintained by Marion County.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval with the following Conditions:

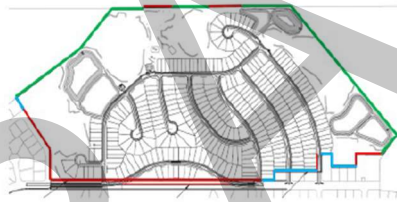
1. The PUD shall comply with the PUD Development Setbacks listed in Table 2 below

Front	25'
Rear	15'
Side	5'
Side (on ROW)	15'

2. The PUD shall be limited to those uses as indicated within the PUD plan.
3. The PUD shall be developed consistently with the PUD 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.
4. The PUD is limited to 329 single-family detached dwelling units.

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5. 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.
6. By the 50<sup>th</sup> CO for residences in the PUD, amenities shall be completed and operational.
7. Buffers shall be as indicated below:
  - a. North – 15' wide C-Type Buffer running the length of the proposed pickleball courts and the length of parcels 28-32. 15' no touch buffer for remaining boundary line.
  - b. East – 15' no touch buffer along property boundary line.
  - c. South – 15' wide C-Type Buffer along Bahia Trace with the option to apply for a waiver for the portion indicated to be abrogated only if the abrogation is granted.
  - d. Southeast – 5' E-Type buffer for portions of PUD contiguous to residential lots and 15' C-Type buffer for retention area and PUD area across ROW from residential.
  - e. Southwest – 15' C-Type buffer along space left for ROW and 5' E-type buffer for portion of PUD immediately abutting the single residential lot.
  - f. West – 15' no touch buffer along property boundary lines.



8. Requirements provided as a result of the approved Traffic Study and Traffic review must be implemented.
9. Sidewalk to be provided internally as shown in the PUD site plan.
10. The final PUD Master Plan must be brought back and heard by the Board of County Commissioners for final approval.

David Tillman, Tillman and Associates Engineering, LLC, SE 16<sup>th</sup> Avenue, on behalf of the applicant, presented a 1 page handout entitled, "Amenities" and an 11x17 modified Concept Plan. He advised that there was a lot of public comment when the P&Z Commission heard this Item, noting he has tried to make modifications to the plan that will hopefully satisfy the majority of those individuals. Mr. Tillman stated he has removed the 3 connections to the east side of the project that goes to the south leaving just 1 gated connection that will provide emergency access only. He commented on a question relating to who has control of the emergency access, noting he is unsure. Mr. Tillman advised that there is only 1 lift station in this community that is not close to any of the neighbors who inquired about the matter. He stated the southeast corner of the project where lots 1 through 10 and lot 314 are located shows a 5 foot buffer; however, it will be a Type C (15 foot) buffer. Mr. Tillman clarified that there is 30 feet of separation in the location with 15 feet of that being the buffer. He commented on the proposed 15 foot, no touch buffer around the outer edge, noting the majority of that is conservation easement with nothing to buffer. Mr. Tillman advised that he prefers not to call out a buffer around the remainder if it can be avoided. He stated the stepdown to medium residential on this

property allows the single-family development, which he believes is more reasonable than multi-family in this area.

Commissioner Bryant questioned whether the development has 2 accesses with 1 being emergency access only. Mr. Tillman advised that it is correct, noting the applicant will have to update their traffic study. He stated if the updated traffic study indicates additional improvements are needed along that corridor, the applicant will be obligated to make them.

In response to Commissioner Bryant, Mr. Tillman advised that the development will be connecting to Bahia Trace on the west side of the development. He stated there is no significant change relating to where the traffic winds up, just in how it gets to that location. Commissioner Bryant expressed concern relating to a single access point.

Mr. Tillman advised that the lone access works and functions, and there is the option of the secondary gated access in the event of an emergency closure.

Chairman Zalak opined that the majority of traffic will go to the same intersections.

Mr. Cohoon stated 98 percent (%) of the traffic will travel in the same direction, noting there will likely be individuals from the other community utilizing that road.

In response to Commissioner Bryant, Mr. Cohoon advised that in the traffic study modeling there were approximately 2% that would go into the Crystal Lakes community from the proposed development and he does not believe it would be detrimental to have 1 access and an emergency access. He stated the Department does support interconnectivity.

Chairman Zalak opened the floor to public comment.

Debra Penney, Hickory Loop, commented on the potential for the emergency access to be vandalized or breached. She expressed concern with control of that access being turned over to the homeowners' association (HOA).

Chairman Zalak advised that the Board will not approve a subdivision with only 1 access point. He stated there are emergency access gates almost everywhere in the County and staff do not see vandalism or experience access issues, noting most are Siren-Operated Sensor (SOS) gates known as yelp gates.

Rebecca Miller, Hickory Loop Way, expressed support for the one access point and emergency gate. She commented on the traffic in the area.

Lori Allen, Hickory Loop, expressed support for the modified concept plan presented by Mr. Tillman.

Dianne Miller, Hickory Loop, addressed the increased traffic the development will bring. She questioned how many vehicles are represented by the 2% figure Mr. Cohoon commented on in the traffic study modeling.

Chairman Zalak stated the emergency gate will prevent the 2% from entering the Crystal Lakes subdivision, so it will not impact Ms. Miller.

Charlotte Gruppioni, Hickory Loop, expressed concern relating to the lone access point in the Crystal Lakes subdivision.

Kavinda Wewegama, Bahia Trace Course, expressed support for the modified concept plan, and requested the emergency entrance be used solely for that purpose and not for construction.

Chairman Zalak advised that there is already a construction entrance to the site, but the Board will make sure the County Engineer does not give permission for those vehicles to go in that way.

John Townsend, Hickory Loop, presented petitions that were signed at the beginning of this process to oppose the entrance and buffer. He expressed appreciation towards Mr.

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Tillman for the changes he has made, noting he still believes more than 1 lift station is needed.

Brian Holbein, Hickory Loop, expressed support for the modified concept plan and questioned what the function is relating to a lift station.

Chairman Zalak stated it is a pump used for the wastewater.

Bill Pike, Hickory Loop, opined there should be a 50 foot buffer to benefit both developments in addition to a larger buffer along the golf course.

Kimberly Miller, Hickory Loop, expressed appreciation towards Mr. Tillman for modifying the concept plan and commented on concerns relating to traffic.

Diane Holbein, Hickory Loop, commented on the modified concept plan, noting Mr. Tillman is doing the best job he can based on what is available.

Veronica Alfred, Bahia Trace, expressed support for the modified concept plan and questioned what the size and makeup of the buffer will be near her home. Commissioner Bryant advised that the buffer will be 15 feet.

Chairman Zalak stated it will be a landscape buffer made up of plantings and the gate is typically metal.

Mark Boven, Hickory Course Trail, stated the Notice he received included a map that was not legible. He requested a better copy of that map.

Chairman Zalak advised that public comment is now closed.

(Ed. Note: The Deputy Clerk was in receipt of an 18 page handout including a petition from property owners in the Crystal Lakes community.)

Mr. Tillman stated the buffer Commissioner Bryant commented on will be 30 feet with a 15 foot planting. He advised that the modification resulted in a loss of 10 to 11 units, noting it was a significant concession compared to the 5 foot buffer required by Code. Mr. Tillman stated the applicant did not intend to use the emergency access as a construction entrance and it would have a substantial metal yelp gate that impedes pedestrian and vehicular traffic. He advised that the 1 lift station is adequate and is located internal to the new development eliminating any odor/nuisance issues to residents of Crystal Lakes. Mr. Tillman expressed appreciation towards the residents of Crystal Lakes, noting they were all cordial and very nice to work with.

In response to Chairman Zalak, Mr. Tillman stated the applicant is proposing to put in a parking lot internal to the development. He advised that the walking trail will be improved. Commissioner Bryant questioned how many parking spaces there will be in the parking lot. Mr. Tillman stated there will be 20 parking spaces.

In response to Chairman Zalak, Mr. Tillman advised that there will be a large and small playground for different age ranges that will be covered and the recreational field is open for individuals to utilize however they choose. Mr. Tillman stated the front yard setbacks will be adjusted to ensure they oscillate and there will be changes in elevation relating to the homes.

Chairman Zalak expressed concern relating to issues with the sidewalk/driveway setback.

In response to Chairman Zalak, Ms. Straub stated there will be a sidewalk on one side of the road, so the setback distance from the rear of the sidewalk to the face of the garage must be adequate for a full vehicle without any overlap on the sidewalk.

Mr. Tillman questioned the minimum space the Board is requesting, noting 20 feet is typical. Commissioner Bryant requested 25 feet.

Chairman Zalak questioned how many vehicles will fit at each home. Mr. Tillman advised that the homes would accommodate 4 vehicles when counting the garage space.

Chairman Zalak stated many individuals use their garage for storage rather than parking.

Commissioner Curry advised that he approves of the parking plan for this development. Ms. Straub advised that Municipal Services (MS) Director Chad Wicker is present to answer questions relating to the relationship of this project to the County's existing Municipal Services Benefit Unit (MSBUs) and assessments inside of Silver Springs Shores (SSS).

General discussion ensued relating to parking.

In response to Commissioner Bryant, Mr. Tillman stated he believed the driveways are 18 to 20 feet wide.

Commissioner Bryant questioned the width of a typical car. Ms. Straub advised that a typical parking spot is 10x20 feet and a compact spot is 9x18 feet.

Chairman Zalak directed staff to ensure each home has the ability to park 2 cars in the driveway without encroaching on the sidewalk.

MS Director Chad Wicker stated this parcel falls within the boundary for both the SSS MSBU for road improvements and the recreation MSTU. He advised that the MSBU is \$50.00 annually per residential partial unit (platted lot), which is still being collected. The residents of the proposed development will also have access to the community center.

Ms. Straub noted the parcel has already been paying as part of the road improvement project.

Mr. Bouyounes stated this is a private subdivision with private roads.

Mr. Tillman advised that MSBUs are typically established with these subdivisions and can be implemented in the future; however, this one is already in place. He stated the HOA will need to take that into account.

In response to Mr. Bouyounes, Mr. Wicker advised that this project is already within the assessment boundary and the applicant has already been paying.

Mr. Wicker stated the current assessment is for 206 units, which the applicant has been paying for since 2005. He clarified that the applicant has been paying at the condominium rate, so it has not been the full \$50.00 but it has been the 206 units.

Ms. Brugnoli provided a recap of the Conditions relating to this project.

In response to Commissioner Stone, Mr. Tillman advised that the modified buffer will be 30 feet with 15 feet of plantings.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to adopt Resolution 26-R-22 granting the SUP request with Conditions 1 through 15 as amended below, agreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

Resolution 26-R-22 contains the following 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'

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 50<sup>th</sup> 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.

#### **15.4. Adoption of Planning and Zoning Ordinance**

##### **15.4.1 Zoning**

The Deputy Clerk presented Affidavits of Mailing and Posting of Notices received from Growth Services Director Charles Varadin and Deputy Clerk Thornton regarding petitions for rezoning and SUPs heard earlier in the meeting.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to adopt Ordinance 26-03 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (5-0).

Ordinance 26-03 is entitled:

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.

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There being no further business to come before the Board, the meeting thereupon adjourned at 4:56 p.m.

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Carl Zalak, III, Chairman

Attest:

\_\_\_\_\_  
Gregory C. Harrell, Clerk

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