



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&ZC Date: 11/24/2025	BCC Date: 12/15/2025
Case Number:	251205SU
CDP-AR:	33444
Type of Case:	Special Use Permit for a community residential home with a capacity of eight (8) residents in an R-1 (Single-Family Dwelling) zone.
Owner	Trailhead Asset Group, LLC
Applicant	Trailhead Asset Group, LLC
Street Address	5489 NW 56 th Terrace, Ocala, FL 34482
Parcel Number	1304-045-005
Property Size	±0.25 acres
Future Land Use	Medium Residential (MR)
Zoning Classification	Single-Family Dwelling (R-1)
Overlay Zone/Scenic Area	Urban Growth Boundary (UGB), Secondary Springs Protection Overlay Zone (S-SPOZ)
Staff Recommendation	Approval (with conditions)
P&ZC Recommendation	Approval (with conditions 6-0)
Project Planner	Sarah Wells, Planner II
Related Case(s)	160410SU Group home with 8 residents in R-1 (original SUP) See attachment D

I. ITEM SUMMARY

Trailhead Asset Group, LLC has filed an application for a special use permit to allow for an increase in the maximum number of residents in a community residential home from 6 (six) residents to 8 (eight) residents (see Attachment A). Figure 1 is an aerial photograph showing the location of the subject property. The Property Identification Number associated with the property is 1304-045-005, Addressed at 5489 NW 56th Terrace, Ocala, FL 34482, within the Ocala Parks Estates Unit 4 subdivision, and the legal description is displayed on the deed included as part of the application. The subject property is located within the Urban Growth Boundary (UGB) as well as the Secondary Springs Protection Overlay Zone (S-SPOZ).

The special use permit would allow for continued operations, as the property was previously granted an allowance of eight residents (see Attachment D) in 2016. The property was sold on August 27, 2025, and with the change of ownership, the previous special use permit was voided. A second application was submitted by the same applicant for another community residential residence allowing eight residents, 251204SU.

The subject property operates as a community residential home providing long-term housing and supportive services for adults with developmental disabilities. The facility is licensed in accordance with applicable state and local regulations and is authorized to accommodate both male and female residents. The residents live within the home on a permanent or semi-permanent basis, receiving daily care, supervision, and assistance consistent with their individual needs and abilities.

To ensure the health, safety, and well-being of the residents, the home is staffed on a continuous 24-hour basis. Personnel are always present providing direct care, monitoring resident activities, and maintaining compliance with licensing and operational standards. Overnight staffing includes on-site sleep-in personnel who remain within the residence during nighttime hours to provide supervision and respond promptly to any emergency or care-related needs. The staffing structure is designed to uphold a stable, supportive, and family-like environment that aligns with the intent of Florida Statutes §419.001—to integrate community residential homes into traditional residential neighborhoods while providing residents with access to necessary support services in a normalized, home-based setting.

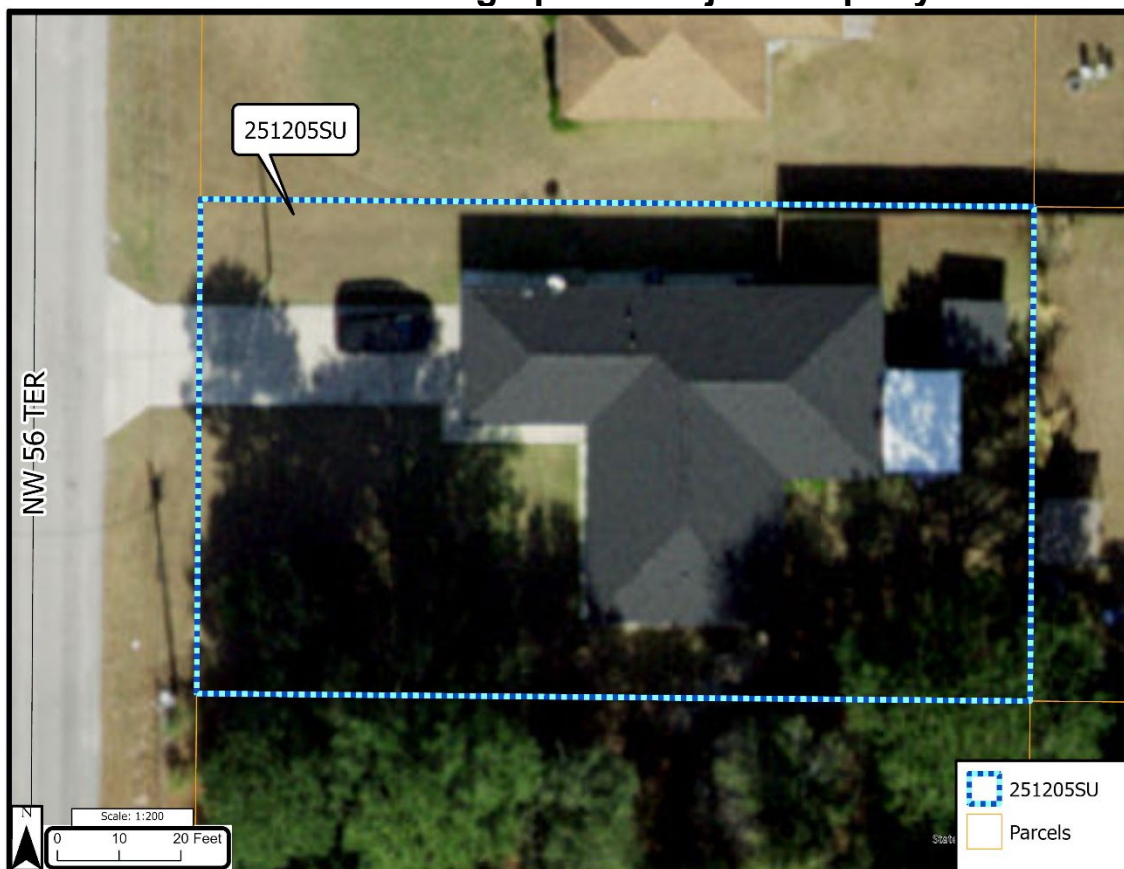
Figure 5, below, illustrates the locations of existing community residential homes within Ocala Park Estates Unit 4, along with a delineated 1,000-foot radius measured from the subject parcel to surrounding community residential homes. This neighborhood demonstrates a relatively high concentration of community residential homes within a limited geographic area. Upon review, staff notes that several of the community residential homes on record with the Marion County Growth Services Department appear to be inactive. The operational status of each facility was evaluated based on the presence or absence of recent annual fire inspection reports, which serve as an indicator of continued operation and compliance with applicable safety standards.

Pursuant to the provisions of Florida Statutes §419.001, the siting of community residential homes is governed by specific locational requirements intended to ensure an equitable distribution of such facilities within residential neighborhoods. Specifically, subsection (2) of §419.001 provides that a community residential home of more than six residents shall not be located within a radius of 1,000 feet of another such home.

In reviewing the current configuration of Ocala Park Estates, it appears that two active community residential homes are situated within this prescribed separation distance. However, §419.001 further provides that this spacing requirement “does not affect the legal nonconforming use status of any community residential home lawfully permitted and operating as of July 1, 2016.”

Records indicate that the subject property has been in continuous operation, without lapses in licensing or required inspections, since at least January 2011, the date of the earliest affidavit on file verifying compliance with separation distance requirements at the time of establishment. Accordingly, the subject home maintains legal nonconforming status under current state law and may continue to operate as such, provided that its licensing and operational requirements remain in good standing.

Figure 1
Aerial Photograph of Subject Property



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS** due to the request being consistent with the Marion County Comprehensive Plan, compatible with the surrounding area, and will not adversely affect the public interest specified in Section VI.B. of this Staff Report. The recommended conditions are being imposed to address compliance with the requirements in LDC Sections 2.8.2.D and 2.8.3.B.

III. NOTICE OF PUBLIC HEARING

The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C and 2.7.3.B to apply to SUP applications. LDC Section 2.7.3.C requires notice of public hearing be mailed to all property owners within 300 feet of the subject property, and notice was mailed to (34) property owners on November 7, 2025. As of the date of the initial distribution of this staff report, one letter of opposition and zero letters of support have been received. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on November 14, 2025, and consistent with LDC Section 2.8.3.E., due public notice was published in the Ocala Star-Banner on November 10, 2025. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference.

IV. BACKGROUND/CHARACTER OF THE AREA

- A. *site conditions*. Figure 2 provides zoning classification information, while Figure 3 shows the FLUMS designation for the area. Table 1 outlines the existing uses of the surrounding area, while Figure 4 illustrates those uses in relation to the subject property. As illustrated, the subject property is developed as a Single-Family Dwelling.
- B. *Zoning district map*. Figure 2 shows the subject property designated as Single-Family Dwelling (R-1). Surrounding properties share the Single-Family Dwelling (R-1) zoning designation.

Figure 2
Existing Zoning Classification



- C. *FLUMS designation.* Figure 3 is the FLUMS and shows the subject property as Medium Residential (MR) land use (1-4 du/acre) with similar land use surrounding.

Figure 3
Future Land Use Map Series



TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUMS	Zoning	Existing Use
Site	Medium Residential (MR)	Single-Family Dwelling (R-1)	Single-Family Residence
North	Medium Residential (MR)	Single-Family Dwelling (R-1)	Single-Family Residence
South	Medium Residential (MR)	Single-Family Dwelling (R-1)	Vacant Residential
East	Medium Residential (MR)	Single-Family Dwelling (R-1)	Single-Family Residence
West	Medium Residential (MR)	Single-Family Dwelling (R-1)	Improved Residential

Figure 4
MCPA Property Uses

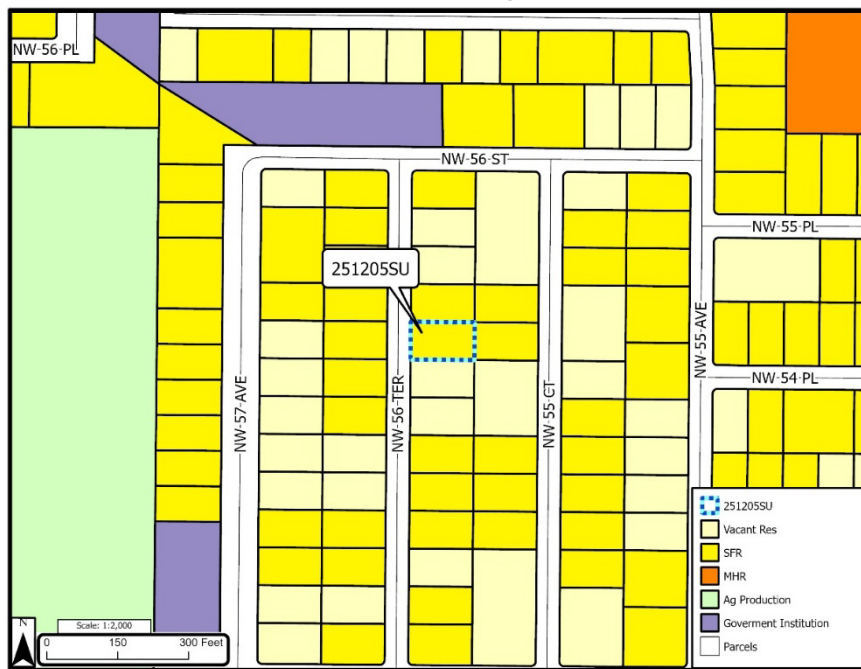
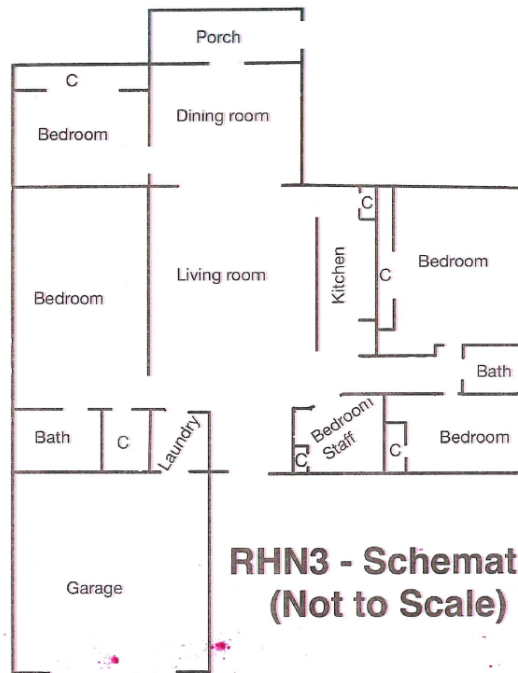


Figure 5



Figure 6



RHN3 - Schematic (Not to Scale)

V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that the SUP addresses nine (9) specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements is addressed below.

- A. *Provision for **ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Analysis: The parcel has an existing paved driveway with access onto NW 56th Ter. Staff concludes that the application **is consistent** with provisions for ingress and egress.

- B. *Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area.*

Analysis: All parking will take place on-site. The Special Use Permit does not propose increasing the activities and use of the subject property.

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

Analysis: Waste removal for the property takes place through residential garbage service; the proposed use will not create additional refuse on-site.

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

Analysis: The parcel utilizes a private well and septic. Utilities has noted that the parcel is outside of the connection distance for both sewer and water. Staff notes that the Special Use Permit request will not increase usage of either service.

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

Analysis: The subject parcel is already developed and serves as an existing community residential home and looks indistinguishable from the other adjacent residential homes. No buffering or screening is needed.

- F. *Provision for **signs**, if any, and **exterior lighting** with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area.*

Analysis: No signs are proposed for this use.

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

Analysis: The parcel is a developed single-family home, it is meeting the requirements for required yards and other green space with the required setbacks.

H. *Provision for general **compatibility** with adjacent properties and other properties in the surrounding area.*

Analysis: Compatibility is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, as “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”

Figure 1 is an aerial photograph displaying existing and surrounding properties. Figure 4 displays the same properties based on their use code per the Marion County Property Appraiser. The subject parcel has been operating as a community residential home for eight residents since 2016. In that time, there have been no recorded disturbances to adjacent property owners, and growth services have not received any complaints. The subject property blends in seamlessly with surrounding properties, as it is residential in appearance. The application is **consistent** with the provision for compatibility.

I. *Provision for meeting any **special requirements** required by the site analysis for the particular use involved.*

Analysis: Staff notes that, unlike a variance, which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. Staff recommends the following policy for future development of the property.

- The special use permit shall run with Trailhead LLC. Should the property be sold or change ownership, a new special use permit shall be applied for.
- The maximum number of residents allowed by this special use permit shall be 8.

J. *Consistency with the Comprehensive Plan.*

1. Policy 2.1.5: **Permitted & Special Uses** – The county shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.

Analysis: LDC Section 4.2.9 allows for a Special Use Permit for a community residential home with seven or more residents. Thus, the application is **consistent** with FLUE Policy 2.1.5.

Based on the above findings, staff concludes the SUP is consistent with LDC Sections 2.8.2.D and 2.8.3.B as well as the Comprehensive Plan.

VI. ALTERNATIVE RECOMMENDATIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to the Commission to adopt a proposed Ordinance to **DENY** the special use permit.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions, and make a recommendation to the Commission to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.
- C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to the Commission to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

- A. Staff recommends the Board enter into the record the Staff Report and all other competent substantial evidence presented at the hearing and make a recommendation to adopt a proposed Ordinance to **APPROVE AS CONDITIONED** the special use permit based on compatibility in the area, compliance with the Comprehensive Plan, and a lack of adverse impacts to the surrounding area.
- B. To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are imposed in the event that the Board chooses to agree with staff recommendation and approve the special use with conditions:
 - 1. The special use permit shall run with Trailhead LLC, or under the ownership of Dawn Minicci and David Minicci. Should the property be sold or change ownership, a new special use permit shall be applied for.
 - 2. The maximum number of residents allowed by this special use permit shall not exceed 8.

VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

Approval with conditions (6-0).

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. SUP Application.
- B. Site Photos.
- C. DRC Comments.
- D. Ordinance from Previous Special Use Permit