



GREGORY C. HARRELL
CLERK OF COURT AND COMPTROLLER – MARION COUNTY, FLORIDA

CLERK OF COURT
RECORDER OF OFFICIAL RECORDS
CLERK AND ACCOUNTANT OF THE BOARD OF COUNTY COMMISSIONERS
CUSTODIAN OF COUNTY FUNDS AND COUNTY AUDITOR

POST OFFICE BOX 1030
OCALA, FLORIDA 34478-1030
TELEPHONE (352) 671-5604
WWW.MARIONCOUNTYCLERK.ORG

TO: Marion County Board of County Commissioners

FROM: Gregory C. Harrell, Clerk of Circuit Court and Comptroller *gch*

DATE: March 8, 2024

RE: Ordinances 24-03, 24-04, 24-05 and 24-06

The 2013 Legislature passed legislation that changed the manner by which County Ordinances were to be filed with the Florida Department of State and the manner in which the Department would acknowledge that filing. "An Act relating to paper reduction", Chapter 2013-192, amended Section 125.66, Florida Statutes, to require the Clerks of the Board of County Commissioners to file Ordinances and Amendments, as well as Emergency Ordinances, by e-mail to the Department. In turn, the Department would acknowledge receipt of such documents by return e-mail.

Attached, please find e-mail correspondence from the Clerk's Office to the Department and their acknowledgement related to the above Ordinance(s).

GCH/dl



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

March 4, 2024

Honorable Gregory C. Harrell
Clerk of Court and Comptroller
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Honorable Gregory Harrell,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 24-03, which was filed in this office on February 29, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Debra Lewter

From: County Ordinances <CountyOrdinances@dos.myflorida.com>
Sent: Monday, March 04, 2024 10:12 AM
To: Debra Lewter; County Ordinances
Cc: Debra Windberg; Susan Mills McAllister; Tammy Ketner
Subject: RE: MRN20240220_ORDINANCE_2024_03
Attachments: Marion20240229_Ordinance24_03_Ack.pdf

Good morning,

Please find the attached acknowledgment letter for Marion County Ordinance No. 24-03, which was filed in this office on February 29, 2024.

Best,

County Ordinances
Florida Administrative Code and Register
Room 701 The Capitol | Tallahassee, Florida

From: Debra Lewter <DebraL@marioncountyclerk.org>
Sent: Thursday, February 29, 2024 4:05 PM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>; Tammy Ketner <TammyK@marioncountyclerk.org>
Subject: MRN20240220_ORDINANCE_2024_03

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 24-03, which was adopted by the Marion County Board of County Commissioners on Tuesday, February 20, 2024.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,
Debra



Debra Lewter

Clerk, Commission Records

352-671-5620 | debral@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

Debra Lewter

From: Debra Lewter
Sent: Thursday, February 29, 2024 04:05 PM
To: CountyOrdinances@dos.myflorida.com
Cc: Debra Windberg; Susan Mills McAllister; Tammy Ketner
Subject: MRN20240220_ORDINANCE_2024_03
Attachments: MRN20240220_ORDINANCE_2024_03.pdf

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 24-03, which was adopted by the Marion County Board of County Commissioners on Tuesday, February 20, 2024.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,
Debra

Debra Lewter

From: Debra Lewter
Sent: Thursday, February 29, 2024 03:58 PM
To: municodeords@civicplus.com
Cc: Debra Windberg; Susan Mills McAllister; Tammy Ketner
Subject: Marion County Ordinance 24-03
Attachments: 02-20-24 Ordinance 24-03 - REVOCATION Zavalsky.docx

Good afternoon,

Attached is Ordinance 24-03 (Revocation of Resolution 22-R-575), which was adopted by the Marion County Board of County Commissioners on Tuesday, February 20, 2024.

Please advise of any problems you may have opening the attached Word document.

ORDINANCE NO. 24-03

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, REVOKING SPECIAL USE PERMIT NO 221105SU, RESOLUTION NO 22-R-575, AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP, PROVIDING FOR AN EFFECTIVE DATE

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

WHEREAS, a petition by property Marion County Growth Services Director, for Revocation of Special Use Permit No 221105SU, (Resolution No 22-R-575) which was issued by the Board of County Commissioners on October 24, 2022 to Property Owner and Applicant, Libor and Rachael Zavalsky, STZ Group, LLC – d.b.a. K-9 Specialists for breeding, training, boarding and the selling of German Shepherds and Dobermans in a General Agriculture (A-1) zone, was heard by the Board on February 20, 2024, and

WHEREAS, the current owner of the property, located at 8201 SW 27th Avenue, Ocala, Marion County, Florida, is Libor and Rachael Zavalsky. Now, therefore,

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

SECTION 1. FINDINGS. The Board of County Commissioners makes the following findings of fact

1. Permit No 221105SU required the site shall be developed and operated consistent with the conditions and concept plan dated October 25, 2022. This condition is not being met and not in compliance.
2. Permit No 221105SU required that a building permit would be obtained for the shipping containers currently on site. This condition is not being met and not in compliance.

SECTION 2. REVOCATION. Special Use Permit 221105SU is hereby revoked effective February 20, 2024 and operations at this site are to cease within six (6) months of this effective date.

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

DULY ADOPTED in regular session this 20th day of FEBRUARY, 2024.

ATTEST:



GREGORY C. HARRELL, CLERK

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA



MICHELLE STONE, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY
OF STATE ON MARCH 4, 2024 ADVISING
ORDINANCE WAS FILED ON FEBRUARY 29, 2024

LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Marion Co Zoning Board-330
Attn: Stephanie Souce
Marion Co Zoning Board-330
2631 SE 3RD ST
OCALA FL 34471

STATE OF WISCONSIN, COUNTY OF BROWN

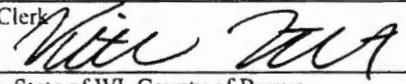
Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Star Banner, published in Marion County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of Marion County, Florida, or in a newspaper by print in the issues of, on:

02/07/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/07/2024



Legal Clerk


Notary, State of WI, County of Brown
317127

My commission expires

Publication Cost: \$449.74
Order No: 9819280 # of Copies:
Customer No: 533584 1
PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance

KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF INTENTION TO CONSIDER

ADOPTION OF AN ORDINANCE. NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, WILL HOLD A PUBLIC HEARING ON THE 20TH DAY OF FEBRUARY, 2024 AT 2:00 PM, AT THE MCPHERSON GOVERNMENTAL CAMPUS AUDITORIUM, 601 SE 25TH AVENUE, OCALA, FLORIDA TO CONSIDER APPROVAL OF THE FOLLOWING COMPREHENSIVE PLAN AMENDMENT, REZONING AND/OR SPECIAL USE PERMIT APPLICATIONS, AND TO CONSIDER ADOPTION OF A PROPOSED ORDINANCE ALL INTERESTED PARTIES MAY APPEAR AT THIS PUBLIC HEARING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE.

SAID ORDINANCE ENTITLED: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING LAND USE CHANGE, REZONING AND SPECIAL USE PERMIT PETITIONS AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP, PROVIDING FOR AN EFFECTIVE DATE.

1. 240201SU - Elvin Lee Mustion, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for pasturing two horses seasonally, in a Single-Family Dwelling (R-1) zone, on an approximate 4.96 Acre Parcel on Parcel Account Number 1804-015-013, site address 4980 SW Marigold Ct, Dunnellon, FL 34431.
2. 240202SU - K. Travis Van Etten, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to have one personal horse, in a Single-Family Dwelling (R-1) zone, on an approximate 0.92 Acre Tract on Parcel Account Numbers 2002-080-033 and 2002-080-005, 14730 SW 29th Lane, Ocala, FL 34481.
3. 240102SU - Headsprings, LLC, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to exceed the allowable height of 50' to allow a 6-story hotel; total proposed building height is \pm 68' to roof top, \pm 77' to the top of the parapet, with top of roof stairwell to \pm 97', in a Community Business (B-2) zone, on an approximate 4.22 Acre Parcel on Parcel Account Number 24141-000-00, 5495 NE 25th Street, Ocala, FL 34470.
4. 240203SU - Sean Roach, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow parking of two (2) commercial vehicles, in a General Agriculture (A-1) zone, on an approximate 4.00 Acre Tract on Parcel Account Numbers 14360-001-00 and 14357-002-01, 9074 NE 27th Terrace, Anthony, FL 32617.
5. 240204ZC - Sophie Douvis, requests a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Residential Estate (R-E), for all permitted uses, on an approximate 7.64 Acre Parcel, on Parcel Account Number 03425-000-00, site address 18320 NE 19th Court, Citra, FL 32113.
6. 23-L03 - Multiple Owners c/o Robert A. Bull, request a Land Use Change, Articles 2 and 4, of the Marion County Land Development Code, from Rural Land to Low Residential (306.81 acres), From Low Residential to Medium Residential (39.24 acres), From Rural Land to Commercial (30.28 acres), on an approximate 468.45 Acre Tract, on Numerous Parcels, No Address Assigned, with 231111ZP.
7. 231111ZP - Multiple Owners c/o Robert A. Bull, request a Zoning Change, Articles 1, 2 and 3, of the Marion County Land Development Code, from A-1 (General Agriculture), A-3 (Residential Agricultural Estate), B-2 (Community Business), M-1 (Light Industrial) to Planned Unit Development (PUD) for residential development up to 240 residential dwelling units and commercial uses, on an approximate 468.45 Acre Tract, on Numerous Parcels, No Address Assigned, with 23-L03.
8. 221105SU - Libor and Rachael Zavalisky - STZ Group, LLC - d.b.a. K-9 Specialists, Request for Revocation of Special Use Permit 221105SU, Resolution 22-R-575, issued on November 15, 2022 to allow a Kennel - breeding, training, boarding and the selling of German Shepherds and Dobermans, in a General Agriculture (A-1) zone, 17.93 Acres on Parcel Account Number 35581-002-03, Site Address 8201 SW 27th Avenue, Ocala, FL 34476. (REVOCA-TION)
9. 211008Z - SW 100th ST. LLC, request a Master Plan Review and Approval, for a proposed 222-unit development, consisting of single-

PUD", on an approximate 53.72 Acre Parcel, on Parcel Account Number 35695-011-01.

10. 2201022 - Utopia #2, LLC, c/a: Divvilay Gaekwad - DDMM Villages, LLC, request a Master Plan Review and Approval, for a proposed 1,514-unit development consisting of single-family and multiple-family dwellings "Utopia PUD", on an approximate 343.48 Acre Tract, on Parcel Account Numbers 47659-000-00, 47659-001-00, 48366-000-00, 48367-000-00 and 48369-000-00.

11. 221010ZP - Calibrex Ocala Ontario, LP, request a Master Plan Review and Approval, for a proposed 1,189-unit development consisting of townhomes, apartments and single-family dwellings "Aurora Oaks PUD", on an approximate 121.82 Acre Tract, on Parcel Account Numbers 35460-005-02, 35460-012-00, 35460-012-01, 35460-012-02, 35460-012-03, 35460-012-04, 35460-015-00, 35460-015-01, 35460-017-00 and 35460-020-00.

IF REASONABLE ACCOMMODATIONS OF A DISABILITY ARE NEEDED FOR YOU TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE ADA COORDINATOR/HR DIRECTOR AT (352) 438-2345 AT LEAST FORTYEIGHT (48) HOURS IN ADVANCE OF THE HEARING, SO APPROPRIATE ARRANGEMENTS CAN BE MADE.

BE ADVISED THAT IF ANY PERSON OR PERSONS WISH TO APPEAL A DECISION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, MADE AT THE ABOVE ADVERTISED MEETING, A RECORD OF THE PROCEEDINGS WILL BE NEEDED BY SUCH PERSON OR PERSONS AND A VERBATIM RECORD MAY BE NEEDED.

FOR MORE INFORMATION:
[HTTPS://WWW.MARIONFL.ORG/EGALNOTICES](https://www.marionfl.org/egalnotices)

PLEASE BE GOVERNED ACCORDINGLY DATED THIS 9TH DAY OF JANUARY, 2024.
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

D. WINDBERG, DEPUTY CLERK
9819280



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

March 4, 2024

Honorable Gregory C. Harrell
Clerk of Court and Comptroller
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Honorable Gregory Harrell,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 24-04, which was filed in this office on February 29, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Debra Lewter

From: County Ordinances <CountyOrdinances@dos.myflorida.com>
Sent: Monday, March 04, 2024 10:16 AM
To: Debra Lewter; County Ordinances
Cc: Debra Windberg; Susan Mills McAllister; Tammy Ketner
Subject: RE: MRN20240220_ORDINANCE_2024_04
Attachments: Marion20240229_Ordinance24_04_Ack.pdf

Good morning,

Please find the attached acknowledgment letter for Marion County Ordinance No. 24-04, which was filed in this office on February 29, 2024.

Best,

County Ordinances
Florida Administrative Code and Register
Room 701 The Capitol | Tallahassee, Florida

From: Debra Lewter <DebraL@marioncountyclerk.org>
Sent: Thursday, February 29, 2024 4:13 PM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>; Tammy Ketner <TammyK@marioncountyclerk.org>
Subject: MRN20240220_ORDINANCE_2024_04

EMAIL RECEIVED FROM EXTERNAL SOURCE

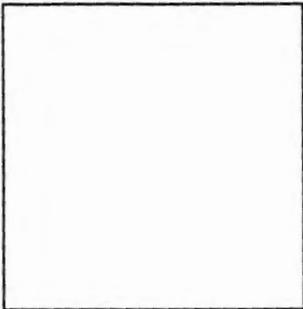
The attachments/links in this message have been scanned by Proofpoint.

Good Morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 24-04, which includes Resolutions 24-R-61 and 24-R-64. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, February 20, 2024.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.



Debra Lewter

Clerk, Commission Records

352-671-5620 | debral@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

Debra Lewter

From: Debra Lewter
Sent: Thursday, February 29, 2024 04:13 PM
To: CountyOrdinances@dos.myflorida.com
Cc: Debra Windberg; Susan Mills McAllister; Tammy Ketner
Subject: MRN20240220_ORDINANCE_2024_04
Attachments: MRN20240220_ORDINANCE_2024_04.pdf

Good Morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 24-04, which includes Resolutions 24-R-61 and 24-R-64. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, February 20, 2024.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Debra Lewter

From: Debra Lewter
Sent: Thursday, February 29, 2024 04:10 PM
To: municodeords@civicplus.com
Cc: Debra Windberg; Susan Mills McAllister; Tammy Ketner
Subject: Marion County Ordinance 24-04
Attachments: 02-20-24 Ordinance 24-04 ZONING.docx; 02-20-24 Resolution 24-R-61 240203SU Sean Roach SUP.docx; 02-20-24 Resolution 24-R-62 240202SU K Travis Van Etten SUP.docx; 02-20-24 Resolution 24-R-63 240201SU Mustion SUP.docx; 02-20-23 Resolution 24-R-64 240102SU Headsprings SUP.docx

Good afternoon,

Attached is Ordinance 24-04 (Zoning and Special Use Permit) along with Resolutions 24-R-61 through 24-R-64, which were adopted by the Marion County Board of County Commissioners on Tuesday, February 20, 2024.

Please advise of any problems you may have opening the attached Word documents.

ORDINANCE NO. 24-04

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

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

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

WHEREAS, the Board has considered the recommendations of the Marion County Planning and Zoning Commission and has conducted the necessary public hearing and has approved the applications contained in this ordinance. Now therefore,

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

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

1. **AGENDA ITEM 15.2.1. 240202SU**– K. Travis Van Etten, Special Use Permit to have one (1) personal horse, in a Single-Family Dwelling (R-1) Zone, 0.92 acres on Parcel Account Numbers 2002-080-033 and 2002-080-005, site address 14730 SW 29th Lane, Ocala FL 34481.
Subject to all terms and conditions of Resolution 24-R-62 attached hereto and incorporated herein by reference.
2. **AGENDA ITEM 15.2.2. 240203SU**– Sean Roach, Special Use Permit to park two (2) commercial vehicles, in a General Agriculture (A-1) Zone, 4.0 acres on Parcel Account Numbers 14360-001-00 and 14357-002-01, site address 9074 NE 27th Terrace, Anthony FL 32617.
Subject to all terms and conditions of Resolution 24-R-61 attached hereto and incorporated herein by reference.

3. **AGENDA ITEM 15.2.3. 240204ZC** – Sophie Douvis, Zoning Change from General Agriculture (A-1) to Residential Estate (R-E), 7.66 acres, on Parcel Account Number 03425-000-00, site address 18320 NE 19th Court, Citra FL 32113.

4. **AGENDA ITEM 15.2.4. 240201SU**– Elvin Lee Mustion, Special Use Permit to pasture two (2) horses seasonally, in a Single-Family Dwelling (R-1) Zone, 4.96 acres on Parcel Account Number 1804-015-013, site address 4980 SW Marigold Court, Dunnellon FL 34431
Subject to all terms and conditions of Resolution 24-R-63 attached hereto and incorporated herein by reference.

5. **AGENDA ITEM 15.2.5. 240102SU**– Headsprings, LLC., Special Use Permit to exceed the allowable height of 50’ to allow a 6-story hotel, in a Community Business (B-2) Zone, 4.22 acres on Parcel Account Number 24141-000-00, site address 5495 NE 25th Street, Ocala FL 34470.
Subject to all terms and conditions of Resolution 24-R-64 attached hereto and incorporated herein by reference.

SECTION 2. The Board hereby authorizes the official zoning map to be revised to reflect the above described re-zonings and special use permits.

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

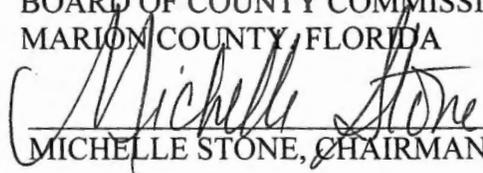
DULY ADOPTED in regular session this 20th day of FEBRUARY, 2024.

ATTEST:



 GREGORY C. HARRELL, CLERK

BOARD OF COUNTY COMMISSIONERS
 MARION COUNTY, FLORIDA



 MICHELLE STONE, CHAIRMAN

RECIEVED NOTICE FROM SECRETARY OF
 STATE ON MARCH 4, 2024 ADVISING
 ORDINANCE WAS FILED ON FEBRUARY 29, 2024.

RESOLUTION NO. 24-R-61

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, a petition for a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on January 29, 2024; and

WHEREAS, the aforementioned petition was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, February 20, 2024. Now therefore,

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

SECTION 1. SPECIAL USE PERMIT PETITION 240203SU – Sean Roach The petition requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Sean Roach, Anthony FL 32617, Special Use Permit to park two (2) commercial vehicles in a General Agriculture (A-1) Zone, on approximately 4.0 acres, on Parcel Account Number 14360-001-00 and 14357-002-01, site address 9074 NE 27th Terrace, Anthony FL 32617.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission and approves the Special Use Permit subject to the following conditions:

1. The site shall be developed and operated consistent with the conditions as provided with this approval.
2. Only the two below-listed vehicles referenced by the VIN numbers provided may be permitted to park on the subject site:
 - 2005 International 9400 VIN: 3hscnpr45n153513
 - 1999 International 4700 VIN: 1HTSCAAM4XH584702
3. The ingress/egress shall be from NE 27th Terrace using a paved/stabilized driveway apron. Within thirty (30) days of approval of this Special Use Permit, the applicant shall contact the Marion County Transportation Department to establish how access will be provided to the site and determine the type and extent of driveway apron and/or other driveway apron improvements required, including obtaining any necessary right-of-way Permit(s). Any driveway apron and/or other related improvements required by the Marion County Transportation Department, pursuant to this condition, shall be completed within ninety (90) days of approval of this Special Use Permit.
4. The parking/storage of a refrigerated trailer unit(s), or reefer unit(s), is prohibited.
5. All mulch piles shall be removed from the property within one (1) year of the special use permit approval.

6. The sale of mulch from this property shall cease and desist after the piles on the property are sold.

7. Trucks shall be empty of any material being hauled when parked at the subject site.

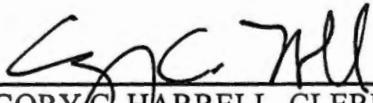
SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

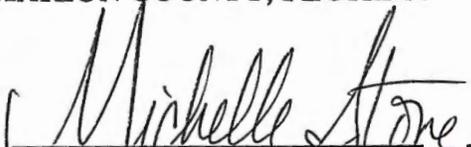
DULY ADOPTED in regular session this 20th day of February, 2024.

ATTEST:

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



GREGORY C. HARRELL, CLERK



MICHELLE STONE, CHAIRMAN

RESOLUTION NO. 24-R-62
A RESOLUTION OF THE BOARD OF
COUNTY COMMISSIONERS OF MARION
COUNTY, FLORIDA, APPROVING A
SPECIAL USE PERMIT, PROVIDING AN
EFFECTIVE DATE.

WHEREAS, a petition for a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on January 29, 2024; and

WHEREAS, the aforementioned petition was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, February 20, 2024. Now therefore,

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

SECTION 1. SPECIAL USE PERMIT PETITION 240202SU – K. Travis Van Etten The petition requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by K. Travis Van Etten, Ocala FL 34481, Special Use Permit to have one (1) personal horse in a Single-Family Dwelling (R-1) Zone, on approximately 0.92 acres, on Parcel Account Numbers 2002-080-033 and 2002-080-005, site address 14730 SW 29th Lane, Ocala FL 34481.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission and approves the Special Use Permit subject to the following conditions:

1. The site shall be developed and operated consistent with the submitted site plan and the conditions as provided with this approval.
2. The Special Use Permit is granted for the keeping of one horse on the subject parcel. The allowance for horse-keeping is limited to the specific horse proposed by the applicant under this special use permit.
3. Animal waste shall be collected regularly, typically twice a week. It shall be bagged and then frozen on-site until the dedicated freezer for this purpose is emptied, at which point the waste is to be transported to a county transfer facility. Adequate measures are recommended to address any concerns related to waste storage and removal.
4. Should the applicant decide, at a later date, to install signage or exterior lighting, the applicant will be required to adhere to Marion County Land Development Code for the provision of signs and exterior lighting.
5. The Special Use Permit shall expire on February 1st, 2029; however it may be renewed administratively three times for up to 5 years each by a written

instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), 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' 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, or
- c) The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

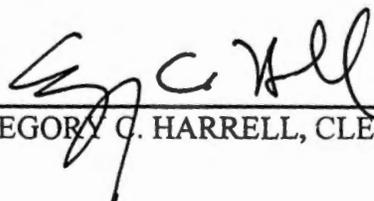
SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

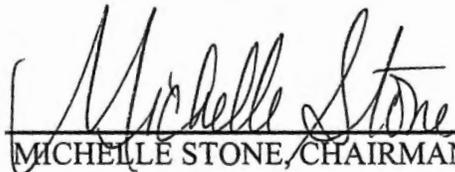
DULY ADOPTED in regular session this 20th day of February, 2024.

ATTEST:

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



GREGORY C. HARRELL, CLERK



MICHELLE STONE, CHAIRMAN

RESOLUTION NO. 24-R-63
A RESOLUTION OF THE BOARD OF
COUNTY COMMISSIONERS OF MARION
COUNTY, FLORIDA, APPROVING A
SPECIAL USE PERMIT, PROVIDING AN
EFFECTIVE DATE.

WHEREAS, a petition for a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on January 29, 2024; and

WHEREAS, the aforementioned petition was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, February 20, 2024. Now therefore,

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

SECTION 1. SPECIAL USE PERMIT PETITION 240201SU – Elvin Lee Mustion The petition requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Elvin Lee Mustion, Dunnellon FL 34431, Special Use Permit to pasture two (2) horses seasonally in a Single-Family Dwelling (R-1) Zone, on approximately 4.96 acres, on Parcel Account Number 1804-015-013, site address 4980 SW Marigold Court, Dunnellon FL 34431.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission and approves the Special Use Permit subject to the following conditions:

1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
2. The approved conceptual plan shows the general location of a proposed barn, the property owner will still need to permit this structure and meet the setbacks outlined in section 4.2.9 of the County's LDC.
3. No additional horses will be allowed for temporary boarding or permanent residence at this property unless the SUP is modified with approval from the County.
4. The Special Use Permit shall expire on February 1st, 2029; however it may be renewed administratively three times for up to 5 years each by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), 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' 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,or

c) The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

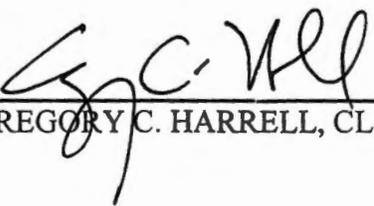
SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

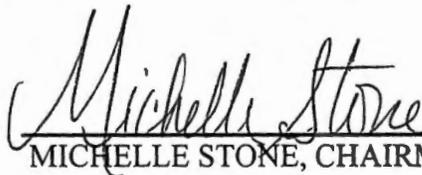
DULY ADOPTED in regular session this 20th day of February, 2024.

ATTEST:

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



GREGORY C. HARRELL, CLERK



MICHELLE STONE, CHAIRMAN

RESOLUTION NO. 24-R-64
A RESOLUTION OF THE BOARD OF
COUNTY COMMISSIONERS OF MARION
COUNTY, FLORIDA, APPROVING A
SPECIAL USE PERMIT, PROVIDING AN
EFFECTIVE DATE.

WHEREAS, a petition for a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on January 29, 2024; and

WHEREAS, the aforementioned petition was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, February 20, 2024. Now therefore,

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

SECTION 1. SPECIAL USE PERMIT PETITION 240102SU – Headsprings, LLC The petition requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Davis Dinkins, P.E., Ocala FL 34470, Special Use Permit to exceed the allowable height of 50' to allow a 6-story hotel in a Community Business (B-2) Zone, on approximately 4.22 acres, on Parcel Account Number 24141-000-00, site address 5495 NE 25th Street, Ocala FL 34470.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners disagrees with the recommendation and findings of the Planning and Zoning Commission and recommends approval of the Special Use Permit. The Board approves the Special Use Permit subject to the following conditions:

1. The building height to the habitable space rooftop is limited to 68'. The building height to the top of the parapet is limited 77'. The building height at the top of the roof stairwell is limited to 80'. The building height at the top of the decorative roof façade feature is limited to 90'.
2. This site shall be developed consistent with the proposed conceptual plan and the height increase is limited to one hotel only.
3. Any modification to the circulation or fire department access road around the building must be approved by MCFR.
4. Access to the roof from at least one interior stairwell shall be provided and clearly marked on all levels.
5. The top of the decorative roof façade feature upon which the sign will be located shall be a non-occupied space above the habitable space height each as permitted in paragraph Condition 1 above. The decorative roof façade feature may be used for wall signage, consistent with Marion County's applicable sign provisions.
6. The building shall comply to all applicable fire codes for fire protection systems applicable to the occupancy.

7. The Special Use Permit shall expire on January 10, 2028, unless an unexpired building permit is issued.

8. The Special Use Permit shall run with the property.

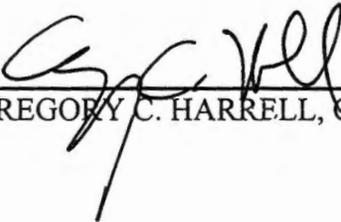
SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

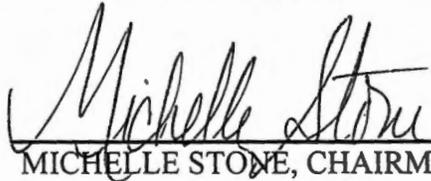
DULY ADOPTED in regular session this 20th day of February, 2024.

ATTEST:

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



GREGORY C. HARRELL, CLERK



MICHELLE STONE, CHAIRMAN

LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Marion Co Zoning Board-330
Attn: Stephanie Souce
Marion Co Zoning Board-330
2631 SE 3RD ST
OCALA FL 34471

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Star Banner, published in Marion County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of Marion County, Florida, or in a newspaper by print in the issues of, on:

02/07/2024

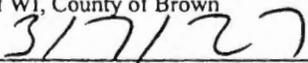
Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/07/2024

Legal Clerk



Notary, State of WI, County of Brown



My commission expires

Publication Cost: \$449.74

Order No: 9819280

of Copies:

Customer No: 533584

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance

KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF INTENTION TO
CONSIDER

ADOPTION OF AN ORDINANCE
NOTICE IS HEREBY GIVEN THAT
THE BOARD OF COUNTY
COMMISSIONERS OF MARION
COUNTY, FLORIDA, WILL HOLD
A PUBLIC HEARING ON THE
20TH DAY OF FEBRUARY, 2024
AT 2:00 PM, AT THE MCPHER-
SON GOVERNMENTAL CAMPUS
AUDITORIUM, 601 SE 25TH
AVENUE, OCALA, FLORIDA TO
CONSIDER APPROVAL OF THE
FOLLOWING COMPREHENSIVE
PLAN AMENDMENT, REZONING
AND/OR SPECIAL USE PERMIT
APPLICATIONS, AND TO
CONSIDER ADOPTION OF A
PROPOSED ORDINANCE ALL
INTERESTED PARTIES MAY
APPEAR AT THIS PUBLIC HEAR-
ING AND BE HEARD WITH
RESPECT TO THE PROPOSED
ORDINANCE.

SAID ORDINANCE ENTITLED:
AN ORDINANCE OF THE BOARD
OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA,
APPROVING LAND USE CHANGE,
REZONING AND SPECIAL USE
PERMIT PETITIONS AND AUTHO-
RIZING IDENTIFICATION ON
THE OFFICIAL ZONING MAP,
PROVIDING FOR AN EFFECTIVE
DATE.

1. 240201SU - Elvin Lee Mustian, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for pasturing two horses seasonally, in a Single-Family Dwelling (R-1) zone, on an approximate 4.96 Acre Parcel on Parcel Account Number 1804-015-013, site address 4980 SW Marigold Ct., Dunnellon, FL 34431.
2. 240202SU - K. Travis Van Ellen, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to have one personal horse, in a Single-Family Dwelling (R-1) zone, on an approximate 0.92 Acre Tract on Parcel Account Numbers 2002-080-033 and 2002-080-005, 14730 SW 29th Lane, Ocala, FL 34481.
3. 240102SU - Headsprings, LLC, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to exceed the allowable height of 50' to allow a 6-story hotel; total proposed building height is ± 68' to roof top, ± 77' to the top of the parapet, with top of roof stairwell to ± 97', in a Community Business (B-2) zone, on an approximate 4.22 Acre Parcel on Parcel Account Number 24141-000-00, 5495 NE 25th Street, Ocala, FL 34470.
4. 240203SU - Sean Roach, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow parking of two (2) commercial vehicles, in a General Agriculture (A-1) zone, on an approximate 4.00 Acre Tract on Parcel Account Numbers 14360-001-00 and 14357-002-01, 9074 NE 27th Terrace, Anthony, FL 32617.
5. 240204ZC - Saphie Douvis, requests a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Residential Estate (R-E), for all permitted uses, on an approximate 7.66 Acre Parcel, on Parcel Account Number 03425-000-00, site address 18320 NE 19th Court, Citra, FL 32113.
6. 23-L03 - Multiple Owners c/o Robert A. Bull, request a Land Use Change, Articles 2 and 4, of the Marion County Land Development Code, from Rural Land to Low Residential (306.81 acres), From Low Residential to Medium Residential (39.26 acres), From Rural Land to Commercial (30.28 acres), on an approximate 468.45 Acre Tract, on Numerous Parcels. No Address Assigned, with 231111ZP.
7. 231111ZP - Multiple Owners c/o Robert A. Bull, request a Zoning Change, Articles 1, 2 and 3, of the Marion County Land Development Code, from A-1 (General Agriculture), A-3 (Residential Agricultural Estate), B-2 (Community Business), M-1 (Light Industrial) to Planned Unit Development (PUD) for residential development up to 240 residential dwelling units and commercial uses, on an approximate 468.45 Acre Tract, on Numerous Parcels, No Address Assigned, with 23-L03.
8. 221105SU - Libor and Rachael Zovalsky - STZ Group, LLC - d.b.a. K-9 Specialists, Request for Revocation of Special Use Permit 221105SU, Resolution 22-R-575, issued on November 15, 2022 to allow a Kennel - breeding, training, boarding and the selling of German Shepherds and Dobermans, in a General Agriculture (A-1) zone, 17.93 Acres on Parcel Account Number 35581-002-03, Site Address 8201 SW 27th Avenue, Ocala, FL 34476. (REVOCATION)
9. 211008Z - SW 100th ST. LLC, request a Master Plan Review and Approval, for a proposed 222-unit development consisting of single-

PUD", on an approximate 55.72 Acre Parcel, on Parcel Account Number 35695-011-01.

10. 2201022 - Utopia 42, LLC, c/a: Digvilay Goekwad - DDMM Villages, LLC, request a Master Plan Review and Approval, for a proposed 1,514-unit development consisting of single-family and multiple-family dwellings "Utopia PUD", on an approximate 343.46 Acre Tract, on Parcel Account Numbers 47659-000-00, 47659-001-00, 48366-000-00, 48367-000-00 and 48369-000-00.

11. 221010ZP - Callbrex Ocala Ontario, LP, request a Master Plan Review and Approval, for a proposed 1,100-unit development consisting of townhomes, apartments and single-family dwellings "Aurora Oaks PUD", on an approximate 121.82 Acre Tract, on Parcel Account Numbers 35460-005-02, 35460-012-00, 35460-012-01, 35460-012-02, 35460-012-03, 35460-012-04, 35460-015-00, 35460-015-01, 35460-017-00 and 35460-020-00.

IF REASONABLE ACCOMMODATIONS OF A DISABILITY ARE NEEDED FOR YOU TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE ADA COORDINATOR/HR DIRECTOR AT (352) 438-2345 AT LEAST FORTYEIGHT (48) HOURS IN ADVANCE OF THE HEARING, SO APPROPRIATE ARRANGEMENTS CAN BE MADE.

BE ADVISED THAT IF ANY PERSON OR PERSONS WISH TO APPEAL A DECISION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, MADE AT THE ABOVE ADVERTISED MEETING, A RECORD OF THE PROCEEDINGS WILL BE NEEDED BY SUCH PERSON OR PERSONS AND A VERBATIM RECORD MAY BE NEEDED.

FOR MORE INFORMATION:
[HTTPS://WWW.MARIONFL.ORG/LEG/NOTICES](https://www.marionfl.org/leg/notices)

PLEASE BE GOVERNED ACCORDINGLY
DATED THIS 9TH DAY OF JANUARY, 2024.
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

D. WINDBERG, DEPUTY CLERK
9819280



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

March 7, 2024

Honorable Gregory C. Harrell
Clerk of Court and Comptroller
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Honorable Gregory Harrell,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 24-05, which was filed in this office on March 7, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Debra Windberg

From: County Ordinances <CountyOrdinances@dos.myflorida.com>
Sent: Thursday, March 07, 2024 04:54 PM
To: Debra Windberg; County Ordinances
Cc: Debra Lewter; Susan Mills McAllister; Tammy Ketner
Subject: RE: MRN20240306_ORDINANCE_2024_05
Attachments: Marion20240307_Ordinance24_05_Ack.pdf

Good afternoon,

Please find the attached acknowledgment letter for Marion County Ordinance No. 24-05, which was filed in this office on March 7, 2024.

Best,

County Ordinances

Florida Administrative Code and Register

Room 701 The Capitol | Tallahassee, Florida

From: Debra Windberg <DebraW@marioncountyclerk.org>
Sent: Thursday, March 7, 2024 11:58 AM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>
Cc: Debra Lewter <DebraL@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>; Tammy Ketner <TammyK@marioncountyclerk.org>
Subject: MRN20240306_ORDINANCE_2024_05

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 24-05. The Ordinance was adopted by the Marion County Board of County Commissioners on March 6, 2024.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,

Debra Windberg

From: Debra Windberg
Sent: Thursday, March 07, 2024 11:58 AM
To: CountyOrdinances@dos.myflorida.com
Cc: Debra Lewter; Susan Mills McAllister; Tammy Ketner
Subject: MRN20240306_ORDINANCE_2024_05
Attachments: MRN20240306_ORDINANCE_2024_05.pdf

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 24-05. The Ordinance was adopted by the Marion County Board of County Commissioners on March 6, 2024.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,

Debra Windberg

From: Municode Ords Admin <MunicodeOrds@civicplus.com>
Sent: Thursday, March 07, 2024 05:53 PM
To: Debra Windberg
Subject: RE: Marion County, FL Code of Ordinances - 1985(10237), Marion County, FL Land Development Code - 2013(13949) OrdBank

We have received your file.

Thank you and have a nice day,

Ords Administrator • CivicPlus
MunicodeOrds@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to MunicodeOrds@civicplus.com. However, if WORD format is not available, we welcome any document format including PDF.

ems (she/her/hers)

civicplus.com



Powering and Empowering Local Governments

From: Debra Windberg <DebraW@marioncountyclerk.org>
Sent: Thursday, March 7, 2024 12:08 PM
To: Municode Ords Admin <MunicodeOrds@civicplus.com>
Cc: Susan Mills McAllister <SusanM@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>; Tammy Ketner <TammyK@marioncountyclerk.org>
Subject: Marion County Ordinance 24-05

You don't often get email from debraW@marioncountyclerk.org. [Learn why.](mailto:debraW@marioncountyclerk.org) [Report a problem.](mailto:debraW@marioncountyclerk.org)

Good afternoon,

Attached is Ordinance 24-05, which was adopted by the Marion County Board of County Commissioners on Tuesday, March 06, 2024. Please advise of any problems you may have opening the attached Word document.

ORDINANCE NO. 24 -05

AN ORDINANCE OF MARION COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VII OF THE MARION COUNTY CODE OF ORDINANCES RELATING TO PROCUREMENT; AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-239 OF THE MARION COUNTY CODE TO MODIFY SMALL PROCUREMENT MONETARY GUIDELINES AND REVISE SUBSECTIONS; AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-253 OF THE MARION COUNTY CODE TO AUTHORIZE DEPARTMENTAL EXPENDITURES ON FOOD, BEVERAGES AND SMALL BASIC APPLIANCES RELATING TO PUBLIC PURPOSES AND PURSUANT TO REIMBURSEMENT GUIDELINES; AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-253 OF THE MARION COUNTY CODE TO RENUMBER IT TO SECTION 2-254; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR RESOLUTION OF CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR CUMULATIVE EFFECT; PROVIDING FOR FILING WITH THE SECRETARY OF STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Marion County ensures fair, equitable and efficient public procurement of goods and services through the County's centralized procurement system; and

WHEREAS, the County's procurement system is governed by the rules, regulations and procedures set forth in the Procurement Code found at Chapter 2, Article VII of the Marion County Code; and

WHEREAS, the Board of County Commissioners desires to amend Chapter 2, Article VII, to strengthen and update the provisions of the Procurement Code; and

WHEREAS, the adoption of this Ordinance will promote the health, safety, and welfare of the citizens as well as protect the County's expenditures of public funds.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA:

Section 1. Section 2-239 Amendments. Per section 1-6.3 -Amendments to Code; effect of new ordinance; amendatory language, of the Marion County Code, **Chapter 2** of the Marion County Code, Administration, **Article VII**, Procurement Code, **Section 2-239**, Procurement card, is hereby amended to read as follows (additions are shown in underline text and deletions are shown in ~~strikeout~~ text):

Sec. 2-239. - Small procurements.

Any procurement of less than fifty thousand dollars (\$50,000.00) may be made on the open market without formal bidding. Such procurement, when practicable, shall utilize informal competitive procurement procedures, utilizing a competitive oral or written

request for quotations for goods and services. Awards shall be made to the vendor providing the most value to the county. Procurements shall not be artificially divided so as to constitute a procurement of less than fifty thousand dollars (\$50,000.00).

(1) The following are the guidelines to be used for formal and informal quoting:

a. \$2,500.00 or below—Purchase through purchase order or purchasing card as per purchasing card guidelines and procedures manual.

b. \$2,500.01 to ~~\$10,000.00~~ \$49,999.99—Departments shall request three (3) or more written quotes which can include, but are ~~is~~ not limited to, copies of internet pricing, and receive prior approval of department director or county administrator's authorized designee by purchase order or purchasing card. Departments shall follow the local business program process in notifying vendors of all quote opportunities.

~~e. \$10,000.01 to \$50,000.00—Department shall request, in writing, that the procurement services department solicit written quotes from vendors using county vendor files and the local business program files. Department shall issue a requisition or utilize a purchasing card and receive prior approval from the department head and assistant county administrator or county administrator authorized designee.~~

~~c. d.~~ All purchases five thousand dollars (\$5,000.00) and over shall be approved by department director or his/her designee, and by Finance and Procurement. Purchases shall have prior documented approval by memo, email or approval in the electronic requisition system, by the ~~department-director~~ head.

~~d. e.~~ All purchases twenty-five thousand dollars (\$25,000.00) and over shall have prior documented approval by memo, email or approval in the electronic requisition system by the department director or his/her authorized designee, the county administrator or assistant county administrator or his/her authorized designee, finance and procurement.

~~e. f.~~ All purchases, with the exception of emergency purchases described in this article, fifty thousand dollars (\$50,000.00) and over shall be approved by the department director or his/her authorized designee, the county

administrator or assistant county administrator or his/her authorized designee, finance, procurement and the board of county commissioners at a regularly scheduled board of county commissioners meeting under the procurement services consent agenda.

Section 2. Section 2-253 Amendments. Per section 1-6.3 -Amendments to Code; effect of new ordinance; amendatory language, of the Marion County Code, **Chapter 2** of the Marion County Code, Administration, **Article VII**, Procurement Code, **Section 2-253** is hereby amended by adding a section (additions are shown in underline text), which section reads as follows:

Sec. 2-253. Food, Beverage and Appliances.

(1) With respect to food and beverage expenditures, the board of cCounty commissioners hereby approves that its Departments may budget, in their operating-supplieexpenses, for food and beverages for any of the following County purposes:

- a. For a public event, such as ribbon cutting ceremonies, job fairs, vendor training, citizen's academy and other events held for citizens or businesses.
- b. For field personnel during warm weather months or extreme weather conditions.
- c. For activities and programs at the County's summer camp.
- d. For educational programs and events for Community Centers.
- e. During natural disasters which have been publicly declared by the Board of County Commissioners.
- f. For graduation, promotional ceremonies and recognition events.
- g. For trainers that come to Marion County from another county, to administer tests for employees and only for those that do not charge a fee for their services.
- h. Refreshments provided in public areas for consumption by citizens while waiting for service.
- i. For external or internal training events and educational programs.
- j. For any other events or occasions as approved by the County Administrator.

(2) Food and beverage purchases should be budgeted in the appropriate fiscal year and under operating supplies. The county purchasing card or purchase order may be utilized for purchases that meet the criteria outlined above. Receipts/Invoices must be clearly marked listing the reason for the purchase (name of disaster, event, name of program, etc.), coded accordingly, signed and submitted to the Procurement Services Department. Purchase of these items must follow the same approval thresholds as outlined in Section 7 of the Procurement Manual. COUNTY FUNDS SHALL NOT BE EXPENDED FOR ALCOHOLIC BEVERAGES.

(3) With respect to small or basic appliances, the County hereby approves that departments may budget for their acquisition placement and declares that the primary benefit of equipping the workplace with these items accrues to the benefit of the County, notwithstanding a collateral benefit to the employee. Equipping the workplace in this manner provides operational benefits to the County, such as employee health and productivity, is reasonably related to the efficient performance of departmental activities and provides other benefits to County Departments, including the assurance of a safe workplace. Therefore, County Departments may budget for the replacement of these items in their respective departments. Appliances are limited to a basic model refrigerator, microwave, toaster and coffee pot. Appliance purchases are to be budgeted in the appropriate fiscal year and under operating supplies. County Fire Stations are excepted, as those are equipped in accordance with Union contract.

(4) To duly identify and document legitimate expenditures for public purposes, County Departments will provide documentation Reimbursement Guidelines for eligible food, beverages, and appliance expenditures utilizing policies and procedures as outlined above and which will be included in the Procurement Policies and Procedures Manual.

Section 3. Section 2-253 Amendments. Per section 1-6.3 -Amendments to Code; effect of new ordinance; amendatory language, of the Marion County Code, **Chapter 2** of the Marion County Code, Administration, **Article VII**, Procurement Code, **Section 2-253**, Local business program, is hereby amended to be renumbered as Section 2-254, to read as follows:

Sec. 2-253~~54~~. - Miscellaneous provisions.

(a) In all cases of procurement brought before the board of county commissioners, whether by bids, sealed proposals, competitive negotiations or otherwise, the board of county commissioners reserves the right to reject any and all bids, sealed proposals or negotiations, and cancel the procurement as they may deem in the best interest of the county.

(b) In all procurements or procurement contracts, including those to be executed by the chairman of the board of county commissioners, such contracts shall

include a provision that payments by the county shall be made under the county's established procedure for payment following receipt of invoice.

(c) In all procurements in which there is a requirement for insurance and/or surety bond, the vendor shall provide such insurance requirements and bond requirements in the form and in the amount acceptable to the county, prior to the effective date of the procurement contract, or sooner if so stated in the bid specifications. All insurance and surety requirements shall be approved by the county's risk management department.

(d) A travel policy and procedures will be included in the procurement policy and Procedure manual and will establish a policy for authorizing and obtaining reimbursement for official travel by employees and non-employees (individuals under contract such as public financial management and appointed advisory boards of the Marion County Board of County Commissioners).

Section 4. Inclusion in the Code. It is the intent of the Board of County Commissioners of Marion County, Florida, and it is hereby provided that the provisions of this ordinance shall become and be part of the Marion County, Florida Code of Ordinances; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intent; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

Section 5. Conflicting Provisions. In the event of any conflict between any provision of this Ordinance and any provision of another section of the County Code, the provisions of this Ordinance shall govern.

Section 6. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any provision, including any exception, part, phrase or term or the application thereof to any person or circumstance is held preempted or invalid by a Court of appropriate jurisdiction, the application to other persons or circumstances shall not be affected thereby, and the validity of this Ordinance in any and all other respects shall not be affected thereby. The Board of County Commissioners do not intend this Ordinance be held inapplicable in such cases, if any, where its application would be unconstitutional as constitutionally permitted construction is intended and shall be given.

Section 7. Applicability. This Ordinance shall be applicable in the unincorporated area of Marion County, Florida.

Section 8. Ordinance Cumulative. This Ordinance shall be cumulative and in addition to any other laws or ordinances in force in Marion County.

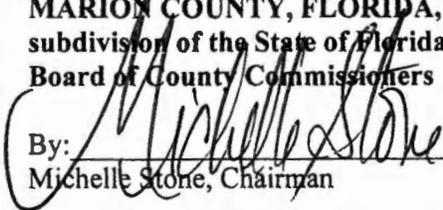
Section 9. Filing with Secretary of State. A certified copy of this Ordinance shall be filed with the Secretary of State by the Clerk within ten (10) days after enactment by the Board of County Commissioners, as provided in Section 125.66(2)(b), Florida Statutes.

Section 10. Effective Date. This Ordinance shall become effective upon receipt of confirmation that it has been filed with the Office of the Secretary of State of the State of Florida.

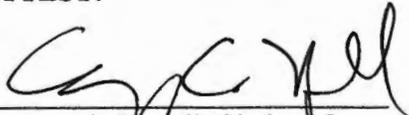
DULY ADOPTED this 6th day of February, 2024.

COUNTY

MARION COUNTY, FLORIDA, a political subdivision of the State of Florida, by its Board of County Commissioners

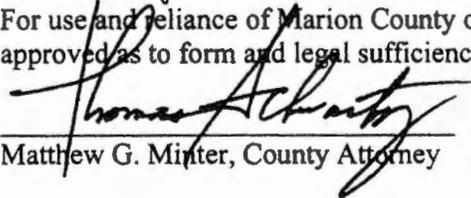
By: 
Michelle Stone, Chairman

ATTEST:


Gregory C. Harrell, Clerk of Court and Comptroller

RECIEVED NOTICE FROM SECRETARY OF STATE ON MARCH 7, 2024 ADVISING ORDINANCE WAS FILED ON MARCH 7, 2024.

For use and reliance of Marion County only, approved as to form and legal sufficiency:

For: 
Matthew G. Minter, County Attorney

LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Ashlyne Tuck
Marion Co Attmyns Offc-330
601 SE 25TH AVE
RM 108
OCALA FL 34471

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Star Banner, published in Marion County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of Marion County, Florida, or in a newspaper by print in the issues of, on:

02/23/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/23/2024

Legal Clerk

[Handwritten Signature]
Keegan Moran

Notary, State of WI, County of Brown

2.14.28

My commission expires

Publication Cost:	\$262.16	
Order No:	9872958	# of Copies:
Customer No:	533707	1
PO #:		

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

<p>KEEGAN MORAN Notary Public State of Wisconsin</p>
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NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Marion County, Florida, will hold a second public hearing for the purpose of considering the adoption of an Ordinance which is entitled as follows:

AN ORDINANCE OF MARION COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VII OF THE MARION COUNTY CODE OF ORDINANCES RELATING TO PROCUREMENT; AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-239 OF THE MARION COUNTY CODE TO MODIFY SMALL PROCUREMENT MONETARY GUIDELINES AND REVISE SUBSECTIONS; AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-253 OF THE MARION COUNTY CODE TO AUTHORIZE DEPARTMENTAL EXPENDITURES ON FOOD, BEVERAGES AND SMALL BASIC APPLIANCES RELATING TO PUBLIC PURPOSES AND PURSUANT TO REIMBURSEMENT GUIDELINES; AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-253 OF THE MARION COUNTY CODE TO RENUMBER IT TO SECTION 2-254; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR RESOLUTION OF CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR CUMULATIVE EFFECT; PROVIDING FOR FILING WITH THE SECRETARY OF STATE; AND PROVIDING AN EFFECTIVE DATE.

THE MARION COUNTY BOARD OF COUNTY COMMISSIONERS proposes to consider the adoption of an Ordinance Pertaining to the Marion County Code.

The public hearing will be held by the Marion County Board of County Commissioners on March 5, 2024 at 10:00 a.m., or immediately following any previously scheduled hearing, at the McPherson Governmental Campus Auditorium, 601 SE 25th Avenue, Ocala, Florida, 34471.

The proposed Ordinance may be inspected by the public at the Marion County Attorney's Office, 601 SE 25th Avenue, Ocala, Florida, 34471, Telephone (352) 438-2330.

ALL PERSONS ARE ADVISED that, if a person decides to appeal any decision made by the Board at this public hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For more information:
<https://www.marionfl.org/legalnotice>

If reasonable accommodations of a disability are needed for you to participate in this meeting, please contact the ADA Coordinator/HR Director at (352) 438-2345 forty-eight (48) hours in advance of the hearing, so appropriate arrangements can be made.

Anyone needing to submit physical documentation to support their public comment or any other presentation, may mail a hard copy of these documents to 601 SE 25th Ave., Ocala, Fl. 34471 (attention Dana Olesky) or e-mail a legible copy to dana.olesky@marionfl.org. Please call Dana Olesky for more information at (352) 438-2330.

PLEASE BE GOVERNED ACCORDINGLY.

Dated this 20th day of February, 2024

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY FLORIDA
MICHELLE STONE, CHAIRMAN

PUBLISH DATE: February 23, 2024
2/23/24



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

March 7, 2024

Honorable Gregory C. Harrell
Clerk of Court and Comptroller
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Honorable Gregory Harrell,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 2024-06, which was filed in this office on March 7, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Susan Mills McAllister

From: County Ordinances <CountyOrdinances@dos.myflorida.com>
Sent: Thursday, March 07, 2024 04:55 PM
To: Debra Lewter; County Ordinances
Cc: Debra Windberg; Susan Mills McAllister; Tammy Ketner
Subject: RE: MRN20240305_ORDINANCE_2024_06
Attachments: Marion20240307_Ordinance2024_06_Ack.pdf

Good morning,

Please find the attached acknowledgment letter for Marion County Ordinance No. 2024-06, which was filed in this office on March 7, 2024.

Best,

County Ordinances

Florida Administrative Code and Register

Room 701 The Capitol | Tallahassee, Florida

From: Debra Lewter <DebraL@marioncountyclerk.org>
Sent: Thursday, March 7, 2024 12:03 PM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>; Tammy Ketner <TammyK@marioncountyclerk.org>
Subject: MRN20240305_ORDINANCE_2024_06

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

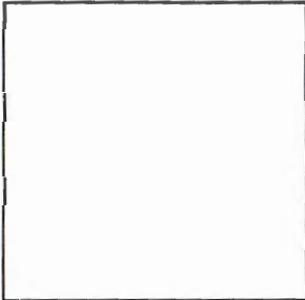
Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 24-06. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, March 5, 2024.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



Debra Lewter

Clerk, Commission Records

352-671-5620 | debral@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

Debra Lewter

From: Debra Lewter
Sent: Thursday, March 07, 2024 12:03 PM
To: CountyOrdinances@dos.myflorida.com
Cc: Debra Windberg; Susan Mills McAllister; Tammy Ketter
Subject: MRN20240305_ORDINANCE_2024_06
Attachments: MRN20240305_ORDINANCE_2024_06.pdf

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 24-06. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, March 5, 2024.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,

Debra Lewter

From: Debra Lewter
Sent: Thursday, March 07, 2024 12:06 PM
To: municodeords@civicplus.com
Cc: Debra Windberg; Susan Mills McAllister; Tammy Ketner
Subject: Marion County Ordinance 24-06
Attachments: 03-05-24 Ordinance 24-06 MCSB Impact Fees.doc

Good afternoon,

Attached is Ordinance 24-06 (School Impact Fees), which was adopted by the Marion County Board of County Commissioners on Tuesday, March 5, 2024.

Please advise of any problems you may have opening the attached Word document.

ORDINANCE NO. 2024-06

AN ORDINANCE RELATING TO IMPACT FEES; AMENDING THE CODE OF MARION COUNTY, FLORIDA; CHAPTER 10 – LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE XV – EDUCATIONAL SYSTEM IMPACT FEE; AMENDING SEC. 10-421. - DEFINITIONS; AMENDING SEC. 10-422. (7) - FINDINGS; AMENDING SEC. 10-424. – ADOPTION OF IMPACT FEE STUDY; AMENDING SEC. 10-431. (b) – IMPOSITION; CREATING SEC. 10-431. (d) EDUCATIONAL BENEFIT DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REMAINDER CLAUSE; PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on July 18, 2006, the Marion County Board of County Commissioners (“County”) held a public hearing at which Ordinance 06-23 (the “Original Marion County Educational System Impact Fee Ordinance”) was adopted; and

WHEREAS, on February 7, 2023, the County and the School Board entered into the “Marion County Third Amended and Restated Interlocal Agreement for Public School Facility Planning (Interlocal Agreement); and

WHEREAS, in accordance with the above-mentioned Interlocal Agreement, the School District procured and received on June 7, 2023, the Marion County Public Schools Educational Facilities Update Study – Final Report prepared by Benesch; and

WHEREAS, the School Board of Marion County, Florida (“School Board”) acting in its capacity as the Marion County Public School District pursuant to Article IX, Section 4 of the Florida Constitution, held pursuant to §163.31801(6)(g)(2), Fla. Stat. (2023), two duly noticed and advertised public workshops: the first public workshop was held on July 6, 2023 and the second public workshop was held on July 13, 2023 dedicated to discuss the extraordinary circumstances necessitating the need for an increase in impact fees as provided in that section of the statutes, and to discuss the Long Range School Plan prepared by Benesch dated May 30, 2023, along with the School and District Facility Recommendations 2023-2038 dated May 31, 2023; and

WHEREAS, on July 20, 2023, the School Board gave consensus to provide the County with its recommendation for an Amendment to the Code of Marion County - Chapter 10, Art. XV, as stated herein; and

WHEREAS, on July 25, 2023, at its regularly scheduled Board Meeting, the School Board received copies of the Marion County Public Schools Long Range School Planning Study - Final Report dated June 7, 2023; and the Marion County Public Schools Educational Facilities Impact Fee Update Study – Final Report dated June 7, 2023 both reports were prepared by Benesch.

The data set forth in the reports was employed in the calculation of the Impact Fee rates imposed herein and is the most recent and localized data available.

WHEREAS, on August 11, 2023, the County and the School Board held a joint public workshop to hear presentations of the Marion County Public Schools Long Range School Planning Study - Final Report dated June 7, 2023; the Marion County Public Schools Educational Facilities Update Study – Final Report dated June 7, 2023; the School Board’s School Facility Recommendations; and discuss a proposed Educational Impact Fee recommendation of forty (40) percent of the Marion County Public Schools Educational Facilities Impact Fee Update Study’s calculation.

WHEREAS, during the August 11, 2023, joint public workshop, the County and the School Board reached consensus to change the Marion County Public Schools Educational Facilities Update Study (hereafter, “Update Study”) to establish five Land Use Categories in the Calculated School Impact Fee Schedule, resulting in revising that Study with a September 13, 2023 date.

WHEREAS, the County, pursuant to § 163.31801(6)(g)(2), Fla. Stat. (2023), held two duly noticed and advertised public workshops: the first public workshop was held on September 20, 2023 and the second public workshop was held on October 13, 2023 dedicated to discuss the extraordinary circumstances necessitating the need for an increase in impact fees as provided in that section of the statutes.

WHEREAS, on October 10, 2023, at its regularly scheduled Board meeting, the School Board requested a quote from Benesch that included: 1) a cost estimate [for analysis to identify Student Generation Rate per Multifamily dwelling unit as grouped by Bedroom count], and 2) an estimate of how long the additional analysis would take.

WHEREAS, on October 26, 2023, the School Board came to consensus to use the School Board Member Residence Areas for the boundary descriptions for the Educational Benefit Districts described herein.

WHEREAS, on November 27, 2023, at a Special Board Meeting, School Board came to consensus to have Benesch do an expanded analysis of the Multifamily Apartment category to include tiers based on square footage.

WHEREAS, on January 25, 2024, at a School Board work session, the School Board came to consensus to proceed with Apartment Tiering Scenario #3 from a second expanded analysis by Benesch. Resulting changes to the Multi-Family Land Use Categories in the Calculated School Impact Fee Schedule were republished as part of the September 13, 2023 Update Study.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, THAT:

SECTION 1. PURPOSE AND INTENT. This Ordinance is enacted to carry out the purpose and intent of and to exercise the authority set out in the Interlocal Agreement for public school facility planning as required by Section 163.31777, Fla. Stat. (2023).

SECTION 2. FINDINGS. The recitals set forth in the WHEREAS clauses above are true and correct and hereby adopted as findings by the County for the adoption of this Ordinance. With respect to the following Code Amendments, words ~~stricken~~ have been deleted; words underlined have been added.

SECTION 3. AMENDMENT OF CHAPTER 10, ARTICLE XV-EDUCATIONAL SYSTEM IMPACT FEE; SEC. 10-421. - DEFINITIONS.

~~*Building permit* shall mean an official document or certificate issued by the county or a city under the authority of ordinance or law, authorizing the construction or siting of any building. Building permit shall also include tie-down permits for those structures or buildings, such as a mobile home, that do not require a building permit in order to be constructed.~~

Building permit: For purposes of Ch. 10, Art. XV, shall mean an approval by a local government authorizing residential construction on a specific property.

~~*Educational facilities* shall mean the building, furniture and equipment that are built, installed or established to serve educational purposes and are designated for student occupant stations or to facilitate the delivery of educational services.~~

Educational Facility: shall mean the buildings, equipment, structures, site improvements, and particular educational use areas built, installed, or established to serve primarily the public educational purposes and secondarily the social and recreational purposes of the community and which may lawfully be used as authorized by the Florida Statutes and approved by the School Board.

~~*Mobile home* shall mean a structure transportable in one or more sections, which structure is eight (8) body feet or more in width and over thirty five (35) feet in length, and which structure is built on an integral chassis and designed to be used as a dwelling unit when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.~~

Mobile Home in a Mobile Home Park – shall mean a standalone residential structure that is transportable in one (1) or more sections and situated on tracts of land where individual park lots or sites are offered for rent. Such structures are manufactured on an integral chassis and designed for use as a dwelling unit when established on jacks or other temporary or permanent foundations, and connected to utilities as required by local governmental code (customarily: plumbing, heating, air conditioning, and electrical systems).

~~Multifamily dwelling unit shall mean a building or a portion of a building, regardless of ownership, containing more than one dwelling unit designed for occupancy by a single family, which units are not customarily offered for rent for one day, and shall include apartments and condominiums.~~

Multi-Family (Apartments) – shall mean a building, or portion thereof, containing more than one dwelling unit, which units are not customarily offered for rent for one day, and shall not include Condominium ownership.

Multi-Family (Condominiums) – shall mean dwelling units where more than one other similar unit exists within the same building structure and where the term Condominium includes all fee-simple or titled multi-unit structures. This category characteristically includes common areas.

~~Residential construction shall mean land development designed or intended to permit more dwelling units than the existing use or non-use of land contains.~~

Residential Development: shall mean any development comprised of dwelling units, in whole or in part, for permanent human habitation.

~~School board shall mean the School Board of Marion County, Florida, which is the governing body of the School District of Marion County, Florida.~~

School Board: shall mean the School Board of Marion County, Florida, the governing body established under Article IX, Section 4, Florida Constitution.

Single Family Attached/Townhouse – shall mean a property improved as a residential structure and having characteristics such as a shared, or common, wall; and is established on one or two parcels (examples being: a lot or lots in an approved platted subdivision or per an approved development order such as a Planned Development or Planned Unit Development). This category is typically distinguished by fee simple ownership of land along with the structure.

~~Single family detached house shall mean a dwelling unit on an individual lot, tract, or any other parcel of land including detached houses on lots less than fifty (50) feet wide, such as zero lot line homes and manufactured homes.~~

Single Family Detached/Mobile Home on a Lot - shall mean a property improved with a standalone site built or manufactured residential structure that is established in an approved platted subdivision or one having a metes and bounds description or aliquot part descriptions.

~~Superintendent shall mean the chief administrative officer of the public schools, as elected pursuant to F.S. § 1001.46.~~

Superintendent: shall mean the District School Superintendent of Marion County.

Superintendent or designee: shall mean that person(s) responsible for dispatching responsibilities identified in the Interlocal Agreement which has been attributed to the Superintendent or the Superintendent’s designee.

SECTION 4. AMENDMENT OF CHAPTER 10, ARTICLE XV-EDUCATIONAL SYSTEM IMPACT FEE; SEC. 10-422. (7) - FINDINGS. In acknowledgment of and consistent with the findings in Section 2 of this amendment, Chapter 10, Article XV, Section 10-422. (7) is hereby amended to read as follows:

- (7) The projected capital improvements to the educational system and the allocation of projected costs between those necessary to serve existing development and those required to accommodate the educational needs of future residential construction as presented in the study entitled the “Marion County Public Schools Educational Facilities Impact Fee Update Study, dated September 13, 2023, is hereby approved and adopted by the County and such study is found to be consistent with the comprehensive plan of the County.

SECTION 5. AMENDMENT OF CHAPTER 10, ARTICLE XV-EDUCATIONAL SYSTEM IMPACT FEE; SEC. 10-424. – ADOPTION OF IMPACT FEE STUDY. In acknowledgment of and consistent with the findings in Section 2 of this amendment, Chapter 10, Section 10-424. is hereby amended to read as follows:

The Marion County Board of County Commissioners hereby adopts and incorporates by reference, the study entitled the Marion County Public Schools Educational Facilities Update Study," dated September 13, 2023, including the assumptions, conclusions and findings in such study as to the determination of anticipated costs of the additions to the educational system required to accommodate growth. A copy of the impact fee study shall be available to the public at the County Administrator's office or the Marion County Board of County Commissioners' office.

SECTION 6. AMENDMENT OF CHAPTER 10, ARTICLE XV-EDUCATIONAL SYSTEM IMPACT FEE; SEC. 10-431. (b) – IMPOSITION. In acknowledgment of and consistent with the findings in Section 2 of this amendment, Chapter 10, Section 10-431. (b) is hereby amended to read as follows:

(b) After the effective date of this article or any amendments hereto, all residential construction occurring within the county, both within the unincorporated area and within the municipal boundaries of the cities, shall pay the following educational system impact fees:

Single Family detached house, per dwelling unit\$3,967.00	<u>\$4,277.20</u>
Multifamily dwelling unit, per dwelling unit2,166.00	<u>\$3,891.20</u>
Mobile home, per dwelling unit3,461.00	<u>\$2,866.40</u>
<u>Multi-Family (Condominiums), per dwelling unit</u>	<u>.....</u>	<u>\$1,990</u>
<u>Mobile Home Park, per dwelling unit</u>	<u>.....</u>	<u>\$2,866</u>
<u>Single Family Attached/Townhouse, per dwelling unit</u>	<u>.....</u>	<u>\$2,020</u>

Single Family Detached/Mobile Home on a Lot, per dwelling unit\$4,307

Multi-Family Apartment; 1 to 700 sq. ft. - \$1,604

Multi-Family Apartment; 701 to 900 sq. ft. - \$3,847

Multi-Family Apartment; 901 to 1,200 sq. ft. - \$4,337

Multi-Family Apartment; >1,200 sq. ft. - \$5,525

Notwithstanding the foregoing, if a building permit has been given a permit number prior to the effective date of the increased impact fees provided herein, the customer will only be obligated to pay the fee that was in effect on the date the application for a building permit was submitted, as long as the permit remains valid through construction.

SECTION 7. AMENDMENT OF CHAPTER 10, ARTICLE XV-EDUCATIONAL SYSTEM IMPACT FEE; CREATING SEC. 10-431. – IMPOSITION (d). In acknowledgment of and consistent with the findings in Section 2 of this amendment, Chapter 10, Article XV, Section 10-431. (d) is hereby created to read as follows:

(d) Collection of impact fees shall be tracked by the School Board in relationship to the Educational Benefit Districts set forth in the map herein, Exhibit A, as further described herein in Exhibit B.

The School Board will create a separate fund for each of the Educational Benefit Districts (EBDs) and the fees will be spent within a reasonable period of time from collection within the EBDs in which they are collected, for the acquisition of school sites or the provision of facilities, as identified in the Marion County School Board’s Adopted Five-Year Plan, as may be amended, that will substantially benefit the residents of the developed area as follows:

(i) Primarily, the School Board shall utilize the school impact fees to provide needed school facilities including, but not limited to, acquiring new school sites, construction of new schools, classroom additions, addition to core capacities, and acquiring technology necessitated by the growth, at those schools identified by the School Board as being impacted by the development which has been established.

(ii) If site constraints or other issues make it impracticable for the School Board to provide the needed school facilities at the affected schools as identified by School Board, as feasible, the School Board will reasonably provide the needed school facilities within the applicable EBDs containing the primarily impacted schools, thus relieving overcrowding at the primarily impacted EBDs.

(iii) If site constraints or other feasibility issues make it impracticable for the School Board to provide the needed school facilities within the primarily impacted EBDs contained the primarily impacted schools, then the School Board may provide the additional school facilities within the EBDs adjacent to the primarily impacted EBDs in a manner that ensures that the impact of the established development continues to be reasonably mitigated and connected to, or have a rational nexus with, the expenditures of the collected school impact fees and the benefits accruing to the new residential development.

SECTION -8. SEVERABILITY. If any clause, sentence or provision of this amendment of Chapter 10, Article XV shall be declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remaining portions of this amendment and Chapter 10, Article XV of Marion County shall be valid as if such invalid portion had not been adopted.

SECTION 9. REMAINDER. All sections, subsections, clauses, sentences, phrases, and provisions of Chapter 10, Article XV - Educational System Impact Fee, Divisions 1-3, of the Marion County Code of Ordinances not amended herein shall stay the same and remain in full force and effect until amended, repealed or otherwise acted upon by the County.

SECTION 10. INCLUSION IN THE CODE. It is the intention of the County and it is hereby provided that the provisions of this Ordinance shall be made a part of the Marion County Code of Ordinance; and that the sections of the Code shall be updated to accomplish such intention.

SECTION 11. EFFECTIVE DATE and FILING WITH the DEPARTMENT OF STATE. Sections 3, 4, 5, 6 and 7 of this Ordinance providing amendments to Marion County Code Chapter 10 shall become effective on July 1, 2024. A copy of this Ordinance as enacted shall be filed by the Clerk of the Board by email with the Office of the Secretary of State of Florida within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official acknowledgement from the Secretary of State that this Ordinance has been filed with such office.

DULY ADOPTED in regular session, this 5th day of March, 2024.

BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA

By: Michelle Stone
Michelle Stone, Chair

ATTEST:

Gregory C. Harrell
Gregory C. Harrell, Clerk of Court

(SEAL)

RECEIVED NOTICE FROM SECRETARY OF
STATE ON MARCH 7, 2024 ADVISING
ORDINANCE WAS FILED ON MARCH 7, 2024.

2023 Marion County School Board Educational System Impact Fee Benefits Districts Map (EBDs)

EXHIBIT "A"

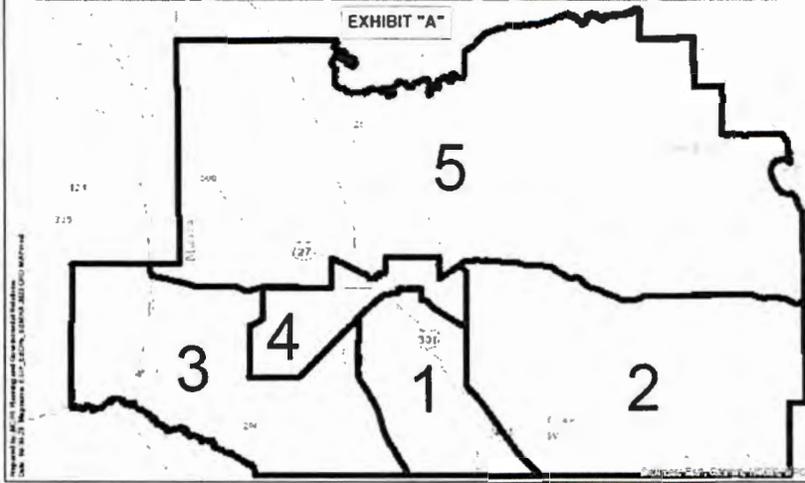


EXHIBIT "B"
**BOUNDARY DESCRIPTIONS FOR 2023 MARION COUNTY SCHOOL BOARD
EDUCATIONAL SYSTEM IMPACT FEE EDUCATIONAL BENEFIT DISTRICTS (EBDS)**

NOTE: All descriptions use road names and progress sequentially in a clockwise fashion until closing the boundary at the point of beginning. Road references are understood to be in Marion County unless otherwise noted. References to roads signed or named by a county other than Marion will reference that County. These descriptions have their origins in the 2021 Marion County School Board Member Residence Areas map.

EBD 1

Begin at a point on the south County Boundary where I-75 intersects the boundary and proceed northward along I-75 to a point coinciding with SR 200; thence northeasterly following College Road (SR 200) to the intersection with Pine Avenue (US 27/441/301); thence continuing easterly following SW 10th Street and transitioning to SE 1st Avenue; thence northward to the intersection with East Fort King Street; thence eastward to the intersection with SE Wenona Avenue; thence southward to the intersection with SE 2nd Street; thence eastward to the intersection with SE 10th Avenue; thence northward to the intersection with East Fort King Street; thence eastward to the intersection with SE 22nd Avenue; thence southward to the intersection with SE 17th Street; thence eastward following SE 17th Street/Maricamp Road to the intersection with SE 58th Avenue (Baseline Road/SR 35); thence southward following Baseline Road to the intersection with US 27/441; thence southeasterly to a point intersecting with the south County Boundary; thence westward along the County Boundary to the point of beginning.

EBD 2

Begin at a point on the south County Boundary where US 27/441 intersects the boundary and proceed northwesterly following US 27/441 to the junction with Baseline Road (SR 35); thence northerly following Baseline Road/SE 58th Avenue (SR 35) to the intersection with SR 40; thence eastward following SR 40 to a point intersecting the County Boundary; thence following the County Boundary to its southeastern most corner and continuing westerly following the south County Boundary to the point of beginning.

EBD 3

Begin at a point on the south County Boundary where I-75 intersects the boundary and proceed westward along the southern County Boundary to a point where the County Boundary is the Withlacoochee River; thence following that southwesterly portion of the County Boundary to a point, west of Dunnellon, where the County Boundary meets the Levy

County Boundary and turns northward; thence northward to a point where the shared County Boundaries coincide along Levy County's SE 80th Street; thence eastward to a point where US 41 intersects with SE 80th Street; thence southward following US 41 to the junction with CR 328; thence eastward following CR 328 to the junction with SR 40; thence following SR 40 eastward to an intersection with SW 110th Avenue; thence southward along SW 110th Avenue to a point of southwestward departure; thence southwesterly to a point approximately coinciding with SW 120th Avenue; thence following SW 120th Avenue southward to a point coinciding with the western terminus of SW 100th Street; thence continuing eastward along a path coinciding with SW 100th Street to an intersection with SR 200; thence northeastward along SR 200 to a point coinciding with the intersection with I-75 and proceed eastward following SR 40.

EBD 4

Begin at a point that is the intersection of west SR 40 and NW/SW 110th Avenue and proceed westward along SR 40 to the intersection with NW/SW 60th Avenue; thence northward following NW 60th Avenue to the junction with US 27; thence southeastward following US 27 to the intersection with NW 24th Avenue; thence northward to NW 14th Street; thence eastward following NW 14th Street to NW 20th Court; thence northward following NW 20th Court to NW 16th Street; thence westward following NW 16th Street to NW 21st Avenue; thence northward following NW 21st Avenue to NW 17th Place; thence eastward following NW 17th Place to NW 16th Avenue (NW Martin Luther King Jr Avenue); thence northward following NW 16th Avenue to the intersection with NW 35th Street; thence eastward following NW 35th Street to the intersection with NE Jacksonville Road – and transitioning to NE 35th Street – following NE 35th Street to the intersection with NE 36th Avenue; thence southward following NE 36th Avenue to the intersection with SR 40 (East Silver Springs Blvd); thence eastward following SR 40 (East Silver Springs Blvd) to the intersection with NE 55th Avenue (SR 35); thence southward following NE 55th Avenue to the intersection with SE Maricamp Road (SR 464); thence northwestward following SE Maricamp Road (SR 464) to the intersection with SE 22nd Avenue; thence north following SE 22nd Avenue to East Fort King Street; thence westward following East Fort King Street to SE 10th Avenue; thence south to SE 2nd Street; thence west following SE 2nd Street to SE Wenona Avenue; thence north to East Fort King Street; thence westward following East Fort King Street to the intersection with SE 1st Avenue; thence south following SE 1st Avenue and transitioning to SE 10th Street to the intersection with Pine Avenue (US 27/441/301); thence continuing westerly following College Road (SR 200) to a point 0.16 miles southwest of SW 99th Street Road; thence departing westward to follow SW 100th Street; then following SW 100th Street to its western terminus at a point coinciding with SW 120th Avenue; thence northward following SW 120th Avenue to

a point of northeastward departure; thence northeastward to join up with SW 110th Avenue at a point 0.13 miles south of SW 38th Street; thence northward following SW 110th Avenue to the point of beginning.

EBD 5

Begin at a point, common to Marion, Alachua and Levy Counties, that is the northwestern most corner of the Marion County boundary; thence departing easterly, follow Marion County's boundary eastward to a point – situated in the Ocklawaha River - shared by Marion and Putnam Counties; thence southeasterly, through a series of jogs – along the shared boundary with Putnam County and transitioning to a shared boundary with Volusia County to a point – on the western shore of Lake George – that is shared among Marion, Volusia and Lake Counties; thence southward to SR 40; thence westward following SR 40 to the intersection with NE 36th Avenue; thence northward following NE 36th Avenue to the intersection with NE 35th Street; thence westward following NE 35th Street to the intersection with NW 16th Avenue (NW Martin Luther King Avenue); thence southward following NW 16th Avenue (NW Martin Luther King Avenue) to NW 17th Place; thence west to NW 24th Avenue; thence south to NW 16th Street; thence east to SW 20th Court; thence south to NW 14th Street; thence west and northwest following NW 10th Street (US 27) to the junction with NW 60th Avenue; thence southward following NW 60th Avenue to the intersection with SR 40 (West Silver Springs Blvd); thence westward following SR 40 to the intersection with CR 328; thence continuing west following CR 328 to the intersection with US 41; thence northward following US 41 to the shared Marion/Levy County boundary; thence departing eastward following the shared boundary a distance of 2.22 miles to a point where the shared boundary changes direction to northerly; thence following the shared boundary to the point of beginning.

LOCALiQ

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PROOF OF PUBLICATION

Marion Co Attyns Offc-330
Marion Co Attyns Offc-330
601 SE 25TH AVE
RM 108
OCALA FL 34471

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Star Banner, published in Marion County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of Marion County, Florida, or in a newspaper by print in the issues of, on:

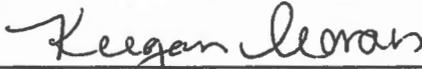
02/23/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

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Legal Clerk



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KEEGAN MORAN
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NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Marion County, Florida, will hold a public hearing for the purpose of considering the adoption of an Ordinance which is entitled as follows:

AN ORDINANCE RELATING TO IMPACT FEES; AMENDING THE CODE OF MARION COUNTY, FLORIDA; CHAPTER 10 - LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE XV - EDUCATIONAL SYSTEM IMPACT FEE; AMENDING SEC. 10-421 - DEFINITIONS; AMENDING SEC. 10-422. (7) - FINDINGS; CREATING SEC. 10-423. - RULES OF CONSTRUCTION (8); AMENDING SEC. 10-424. - ADOPTION OF IMPACT FEE STUDY; AMENDING SEC. 10-431. (b) - IMPOSITION; CREATING SEC. 10-431. (d) EDUCATIONAL BENEFIT DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REMAINDER CLAUSE; PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

THE MARION COUNTY BOARD OF COUNTY COMMISSIONERS proposes to consider the adoption of an Ordinance Amending the Code for Educational System Impact Fees.

The public hearing will be held by the Marion County Board of County Commissioners on March 5, 2024 at 10:00 a.m., or immediately following any previously scheduled hearing, at the McPherson Campus Commission Auditorium, 601 SE 25th Avenue, Ocala, Florida, 34471.

The proposed Ordinance may be inspected by the public at the Marion County Attorney Office, 601 SE 25th Avenue, Ocala, Florida, 34471, Telephone (352) 438-2330.

ALL PERSONS ARE ADVISED that, if a person decides to appeal any decision made by the Board at this public hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For more information: <https://www.marioncountyfl.org/about/legal-notices>.

If reasonable accommodations of a disability are needed for you to participate in this meeting, please contact the ADA Coordinator/HR Director at (352) 438-2345 forty-eight (48) hours in advance of the hearing, so appropriate arrangements can be made.

PLEASE BE GOVERNED ACCORDINGLY.

Dated this 20th day of February, 2024

BOARD OF COUNTY COMMISSIONERS

MARION COUNTY FLORIDA

MICHELLE STONE, CHAIRMAN

PUBLISH DATE: February 23, 2024
9873941