

# MINUTES

## **MARION COUNTY BOARD OF ADJUSTMENT November 3, 2025**

A public hearing of the Marion County Board of Adjustment was held on November 3, 2025, at 2:07 pm in the Marion County Growth Services Training Room, 2710 E. Silver Springs Boulevard, Ocala, Florida.

The meeting was called to order at 2:07 pm. Members present, creating a quorum, were Chairman Donald Barber, Len Racioppi, Jackie Alsobrook, and Alternate Samuel Hunt. Staff members present were: Assistant County Attorney Linda Blackburn, Director Chuck Varadin, Deputy Director Ken Weyruach, Planner Kathleen Brugnoli, Zoning Technician Cristina Franco, Zoning Technician Clint Barkley, Code Enforcement Supervisor Tracy Gillyard, Administrative Staff Assistant Autumn Williams, and Staff Assistant IV Kim Lamb.

Len Racioppi gave the Invocation, followed by Samuel Hunt leading the Pledge of Allegiance.

Chairman Barber and Attorney Linda Blackburn explained the procedures for hearing variance requests, and Attorney Blackburn administered the Oath en masse.

Kathleen Brugnoli proceeded by reading the provided Affidavit of Publication and the Proof of Required Mailing and Posting of Notice and advised that the meeting was properly noticed.

2.1. **251101V** – Kelly Roller & JoAnn Crinnion Roller, request a **Variance** in accordance to Section 2.9 of the Marion County Land Development Code, to reduce the (front) setback from 25' to 14.5' for an existing permitted carport, in a Single-Family Dwelling (R-1) zone, on Parcel Account Number 3578-023-024, Site Address 10247 SW 41<sup>st</sup> Avenue, Ocala, FL 34476

Cristina Franco presented the case and read the report into the record, stating this request is for an existing permitted carport.

28 homeowners were notified within 300' of the parcel. One (1) letter of support was received.

JoAnn Roller, 10247 SW 41<sup>st</sup> Avenue, Ocala, FL 34476, addressed the board. Ms. Roller explained that approximately ten years ago, she and her husband hired a contractor to design and construct a carport. The project received prior approval from the HOA, passed inspection, and was signed off by Ronald Forte, the building inspector. However, they have recently received a code violation notice concerning the placement of the carport. Ms. Roller expressed her concern and requested that the variance fee be refunded.

There was no one in the audience to speak for or against the request, and the chair closed the public portion of the hearing.

Donald Barber made a motion to **approve** the variance as requested and **to include additional Special Conditions will not apply to the replacement or substantial rebuilding of the carport** and moved that, having heard competent, substantial evidence, the Board finds that: 1. A special condition or circumstance exists on the property that does not exist on other properties within the same zoning and land use area; 2. The applicant did not cause the special condition or circumstance; 3. Literal enforcement of the regulations would create unnecessary and undue hardship and deprive the applicant of rights commonly enjoyed by other properties within the same zoning and land use area; 4. The variance is the minimal variance that will allow reasonable use of the property; 5. The variance will not confer any special privilege on the applicant that is denied to other properties within the same zoning and land use area; and 6. The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare, and the Board grants the variance.

Len Racioppi made a motion to second.

**Motion to Approve with Special Conditions, the reduced setback granted will not apply to the replacement or substantial rebuilding of the carport. - Passed 4 to 0.**

- 2.2. **251002V** – Johnny Busciglio & Rebecca Rosin, request a **Variance** in accordance to Section 2.9 of the Marion County Land Development Code, to reduce the Front (lakeside) setback from 75’ to 30’ for a new single-family dwelling and inground swimming pool, in a Single-Family Dwelling (R-1) zone, on Parcel Account Number 49007-001-00, Site Address 12640 SE 141<sup>st</sup> Avenue Road, Ocklawaha, FL 32179

Clint Barkley presented the case and read the report into the record, stating the request is for a new single-family dwelling and an inground swimming pool.

13 homeowners were notified within 300’ of the parcel. We received no letters of opposition or support.

Mike Green of Michael Alan Homes, 2635 SE 58<sup>th</sup> Avenue, Ocala, FL 34480, spoke on behalf of the applicant. He presented a survey and stated that he wanted to keep the existing well because a new one wouldn’t meet the requirements of the septic system, pool, and home.

Rebecca Rosin, 14402 SE 144<sup>th</sup> Avenue, Weirsdale, FL 32195, addressed the board. Ms. Rosin distributed two photographs to the board and explained the differences between them in regards to the septic system placement. She further noted that the required setback is creating a hardship that is preventing progress on the home’s construction.

#### **PUBLIC COMMENT:**

There was no one in the audience to speak for or against the request, and the chair closed the public portion of the hearing.

Jackie Alsobrook made a motion to **continue the case date certain to January 5, 2026, at 2 P.M.**

Samuel Hunt made a motion to second.

**Motion to Continue Date Certain to January 5, 2026 - Passed 4 to 0.**

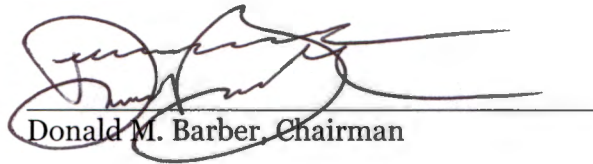
**Other Business: N/A**

**MINUTES:**

The **October 6, 2025**, Board of Adjustment Minutes were moved for Approval upon a motion by Jackie Alsobrook, with a second by Samuel Hunt.

**Motion for Approval - Passed 4 to 0.**

**ADJOURNED:** The meeting adjourned at 3:05 PM.



Donald M. Barber, Chairman

Attest:



Kim Lamb, Staff Assistant IV

**VARIANCE ACTION FORM**

ITEM NO: 251101V

DATE OF PUBLIC HEARING: NOVEMBER 3, 2025

OWNER NAME(s): **Kelly Roller & JoAnn Crinnion Roller**  
10247 SW 41<sup>st</sup> Avenue  
Ocala, FL 34476

AGENT NAME(s): N/A

LEGAL DESCRIPTION OF PROPERTY: Parcel Account No. **3578-023-024**, SEC 27 TWP 16 RGE 21, in Marion County, Florida.

VARIANCE REQUESTED: Request to reduce the (Front) setback from 25' to 14.5' for an Existing Permitted Carport, in a Single-Family Dwelling (R-1) zone.

\*\*\*\*\*

**FINDINGS OF BOARD OF ADJUSTMENT**

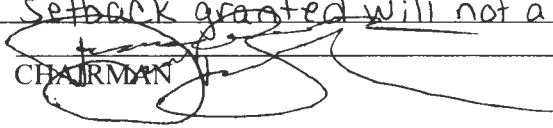
1. **Written Petition.** A written petition for a Variance has been submitted demonstrating that:

- A. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings with the same zoning classification and land use area.
- B. The special conditions and circumstances do not result from the actions of the applicant.
- C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use area under the terms of said regulations and would work unnecessary and undue hardship of the applicant.
- D. The Variance, if granted, in the minimum Variance that will allow the reasonable use of the land, building or structure.
- E. Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings of structures in the same zoning classification and land use area.
- F. The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

2. X **GRANTED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have been demonstrated by the applicant for Variance.

3. \_\_\_\_\_ **DENIED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have not been demonstrated by the applicant for Variance.

4. X **CONDITIONS & SAFEGUARDS:**  
A. Should the structure be removed for any reason, any replacement structure must meet the then required setbacks, or a variance must be requested. \_\_\_\_\_

B. Variance granted is solely for the existing Carport.  
The reduced Setback granted will not apply to replacement  
or substantial rebuild. of the  
Carport  
CHAIRMAN  11-03-2025  
DATE

**VARIANCE ACTION FORM**

**ITEM NO: 251002V**

**DATE OF PUBLIC HEARING: NOVEMBER 3, 2025**

**OWNER NAME(s):**

**Johnny Busciglio & Rebecca Rosin**  
12640 SE 141<sup>st</sup> Avenue Road  
Ocklawaha, FL 32179

**AGENT NAME(s):**

**Michael Alan Homes**  
2635 SE 58<sup>th</sup> Avenue  
Ocala, FL 34480

**LEGAL DESCRIPTION OF PROPERTY:** Parcel Account No. **49007-001-00**, SEC 05 TWP 17 RGE24, in Marion County, Florida.

**VARIANCE REQUESTED:** Request to reduce the Front (lakeside) setback from 75' to 30' for a new single-family dwelling and inground swimming pool, in a Single-Family Dwelling (R-1) zone.

\*\*\*\*\*

**FINDINGS OF BOARD OF ADJUSTMENT**

1. **Written Petition.** A written petition for a Variance has been submitted demonstrating that:
- A. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings with the same zoning classification and land use area.
  - B. The special conditions and circumstances do not result from the actions of the applicant.
  - C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use area under the terms of said regulations and would work unnecessary and undue hardship of the applicant.
  - D. The Variance, if granted, in the minimum Variance that will allow the reasonable use of the land, building or structure.
  - E. Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings of structures in the same zoning classification and land use area.
  - F. The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

2. \_\_\_\_\_ **GRANTED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have been demonstrated by the applicant for Variance.

3. \_\_\_\_\_ **DENIED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have not been demonstrated by the applicant for Variance.

4. \_\_\_\_\_ **CONDITIONS & SAFEGUARDS:**

A. Should the structure be removed for any reason, any replacement structure must meet the then required setbacks, or a variance must be requested. \_\_\_\_\_

B. \_\_\_\_\_

  
CHAIRMAN

11-03-2025  
DATE

X Tabled: To a date certain of Jan 5<sup>th</sup>, 2026  
2511's BOA