



**Marion County
Board of County Commissioners**

Growth Services

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**ZONING SECTION STAFF REPORT
August 4, 2025
BOARD OF ADJUSTMENT PUBLIC HEARING**

Case Number	250802V
Type of Case	Variance: The applicant requests a variance from Section 2.9 of the Marion County Land Development Code, a reduction of the (front) setback from 25' to 23' for installation of a used mobile home, in a Mixed Residential (R-4) zone.
Owner	Sandra Kursingh Rojas
Applicant	Lauren Kirkman
Street Address	18894 SE 55 th Place, Ocklawaha
Parcel Number	4014-006-003
Property Size	±.30 acres
Future Land Use	Rural Land Use
Zoning Classification	Mixed residential (R-4)
Overlay Zone/Scenic Area	Environmentally Sensitive Overlay Zone (ESOZ), and Secondary Springs Protection Zone (SSPZ).
Project Planner	Lynda Smith, Zoning Technician I
Permit	Permit 2024112521 is in apply status
Code Case	914449

I. ITEM SUMMARY

This is a request filed by applicant Lauren Kirkman, for owner Sandra Kursingh-Rojas, for a variance from Land Development Code (LDC) Section 2.9, a reduction of the east (front) setback from 25' to 23' for installation of a used mobile home, in a Mixed Residential (R-4) zone. R-4 zoning has setbacks for single-family residences of 25' from the front and rear property lines and 8' from the side property lines. The proposed structure can meet the rear and side setbacks of 25' and 8', but is unable to meet the front setback of 25' from the front property line due to being incorrectly placed by the mobile home company in 2022.

Timeline:

- This subdivision was platted on May 25, 1972
- November 2022, permit 2022112331 applied for installation of used mobile home
- 1982 Mobile Home incorrectly place on this parcel in 2022.
- ESOZ and Zoning regulations went into effect in 1992 with the adoption of the Marion County Land Development Code
- This parcel is not located on the water so is not affected by an ordinary high-water line

FIGURE 1
GENERAL LOCATION MAP



II. PUBLIC NOTICE

Notice of the public hearing was mailed to 22 property owners within 300-feet of the subject property on July 18, 2025. A public notice sign was posted on the subject property on June 26, 2025, and notice of the public hearing was published in the Star Banner on July 21, 2025. Evidence of the public notice requirements are on file with the Department and are incorporated herein by reference.

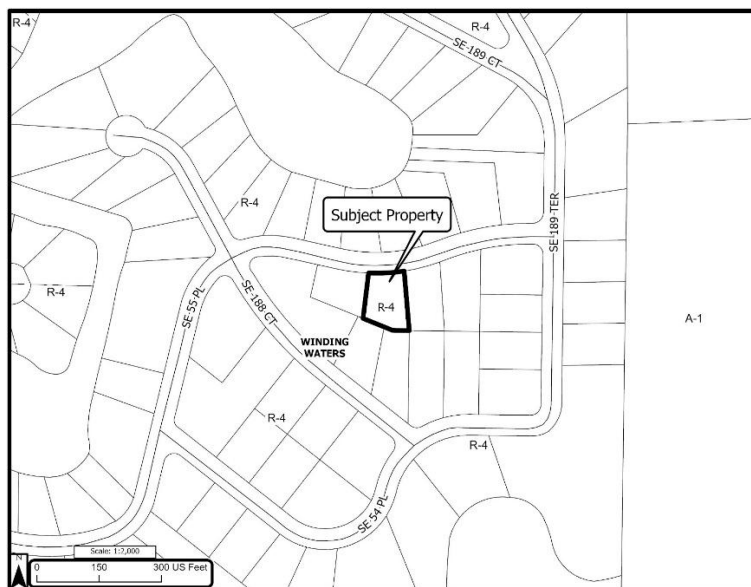
Figure 2

Sign Placement



Figure 3

300ft Notification Zone



III. PROPERTY CHARACTERISTICS

This parcel is $\pm .30$ -acres with Rural land use (RL) and Mixed Residential (R-4) zoning classification. This parcel also lies in an Environmentally Sensitive Overlay Zone (ESOZ) but is not on a body of water and therefore not affected by the Ordinary High-Water Line regulation, only the ESOZ density regulation applies to this parcel.

FIGURE 4
AERIAL



FIGURE 5
ZONING MAP



FIGURE 6
ESOZ AND FLOODPLAIN MAP

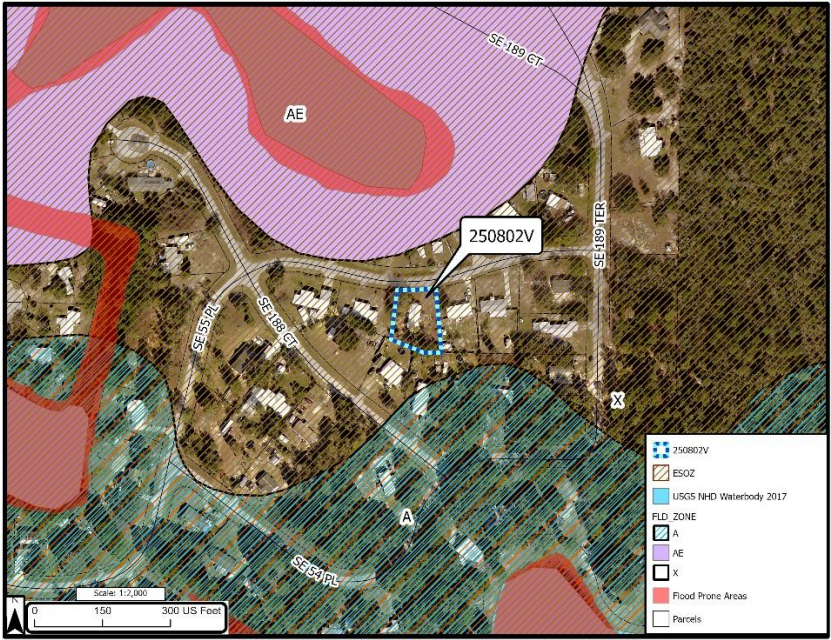


Figure 7
Land Use Map



**Figure 8
Surrounding Variances Map**



IV. REQUEST STATEMENT

This is a request filed by applicant Lauren Kirkman, for owner Sandra Kursingh-Rojas, for a variance from Land Development Code (LDC) Section 2.9, a reduction of the east (front) setback from 25' to 23' for installation of a used mobile home, in a Mixed Residential (R-4) zone. R-4 zoning has setbacks for single family residences of 25' from the front and rear property lines and 8' from the side property lines. Proposed structure can meet the rear and side setbacks of 25' and 8' but is unable to meet the front setback of 25' from the front property line due to incorrectly being placed by the mobile home company in 2022.



V. ANALYSIS

LDC Section 2.9.2.E provides the Board of Adjustment shall not grant a variance unless the petition demonstrates compliance with the six (6) criteria. The six (6) criteria and staff's analysis of compliance with those criteria are provided below.

1. 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.

Analysis: Requesting a reduction of 25' to 23' for a front setback in an R-4 Zoning classification for placement of a used mobile home. Stumps prevented placement anywhere else.

Staff: Finds that Special conditions and circumstances do not 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. Stumps can be removed from the site. This subdivision was created May 25, 1972, Mobile Home was placed in 2022, approximately 3 years ago.

2. The special conditions and circumstances do not result from the actions of the applicant.

Analysis: Trees and the stumps were existing on the property prior to considering placement of the mobile home.

Staff: Finds that special conditions and circumstances are a result of the actions of the owner/ applicant. This mobile home was not correctly placed by company hired by owner when placed on the property in 2022.

3. 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 on the applicant.

Analysis: Granting of this variance would not adversely affect any property owners. It is not irregular to the area.

Staff: Finds that this parcel does have a unique shape that would not hamper the placement of a home and would meet today's standards/ setbacks. Denying the variance would not 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 does not cause unnecessary or undue hardship on the applicant/owner.

4. The variance, if granted, is the minimum variance that will allow the reasonable use of the land, building or structure.

Analysis: Applicant states a reduction 25' to 23' from the front of the property is the minimum needed in order to develop.

Staff: A reduction of the setback from 25' to 23' is not the minimum variance that will allow the use of the land. Due to the placement of the home in 2022, however, the home could be moved to meet the required setback.

5. Granting the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning classification and land use area.

Analysis: Owner states that this is true. This request will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning classification and land use area.

Staff: Finds that granting of the request will confer on the applicant special privilege. Many parcels in these have been able to meet the zoning setbacks when placed on these parcels with few to no variances requested. When the home was placed on the property, the home could have been placed in a manner that meets the required setbacks.

6. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Analysis: Owner states that this is true. Granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare

Staff: Finds that if the variance is granted, it would not be injurious to the neighborhood as long as the applicant pulls the correct permits and gets them approved.

VI. LIST OF ATTACHMENTS

- A. Application
- B. Marion County Property Appraiser Property Record Card, 2024 Certified Assessment Roll
- C. Site Plan
- D. Deed
- E. 300' Mailing Map
- F. Survey
- G. Photos
- H. Code Violation Notification
- I. Power of Attorney