



**Marion County  
Board of County Commissioners**

Growth Management ♦ Zoning

2710 E. Silver Springs Blvd.  
Ocala, FL 34470  
Phone: 352-438-2675  
Fax: 352-438-2676

**APPLICATION FOR REZONING**

**Application No.:** \_\_\_\_\_

The undersigned hereby requests a zoning change of the Marion County Land Development Code, Article 4, Zoning, on the below described property and area, from PUD (Expired)

to PUD (Active), for the intended use of:

Reactivating and modifying previously approved PUD 090405Z

**Legal description:** (please attach a copy of the deed and location map)

**Parcel account number(s):** 45446-000-00, and 45446-002-00 and 45446-002-01

**Property dimensions:** \_\_\_\_\_ **Total acreage:** 75.99

**Directions:** Take US 441 south to SE 132nd Street Road, turn R; subject property on north and south side of SE 132nd Street Road.

The property owner must sign this application unless he has attached written authorization naming an agent to act on his/her behalf.

Nick Pucek

**Property owner name (please print)**

7097 SE 12th Circle

**Mailing address**

Ocala, FL 34480

**City, state, zip code**

352-804-9490

**Phone number (please include area code)**

[Signature]  
**Signature**

Tillman & Associates Engineering, LLC.

**Applicant or agent name (please print)**

1720 SE 16th Avenue, Bldg. 100

**Mailing address**

Ocala, FL 34471

**City, state, zip code**

352-387-4540

**Phone number (please include area code)**

[Signature]  
**Signature**

Please note: the zoning change will not become effective until 14 days after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is \$1,000.00, and is non-refundable. For more information, please contact the Zoning Division at 352-438-2675.

\*\*\*\*\*

**FOR OFFICE USE ONLY**

RECEIVED BY: EM DATE: 2/3/2021 ZONING MAP NO.: 237

Rev. 07/02/2019

"Meeting Needs by Exceeding Expectations"

AR 26218  
PTJ 2009020007



**Marion County  
Board of County Commissioners**

Office of the County Engineer

412 SE 25th Ave.  
Ocala, FL 34471  
Phone: 352-671-8686  
Fax: 352-671-8687

MARCH 1, 2021

TILLMAN & ASSOCIATES ENGINEERING  
DAVID TILLMAN  
1720 SE 16TH AVE BLDG 100  
OCALA, FL 34471

**SUBJECT: REZONING TO PUD COMMENTS LETTER**  
PROJECT NAME: CARISSA OAKS (PUCEK PROPERTY, NICK PUD)  
PROJECT #2009020007 APPLICATION #26218 PARCEL #45446-000-00

Dear David:

This letter is in regard to your recent Conceptual Plan submittal for the above referenced project. During the process of reviewing the plans for sufficiency, some items were found which must be addressed. Your plan will be scheduled for review and recommendation for the rezoning by the Development Review Committee prior to meeting with the Planning/Zoning Commission.

Per Resolution 10-R-629, please resolve these items within fifteen (15) working days. During this fifteen (15) working day resolution period, the reviewers will be available in a group setting on Thursday mornings to discuss these comments. After meeting with staff, your plan will be scheduled for review by the Development Review Committee at the next available DRC meeting. If you choose not to meet with staff, you may request to be scheduled for DRC's consideration immediately.

**In either case, please contact me to arrange placement on the Thursday staff meeting agenda and/or the DRC agenda.**

1. DEPARTMENT: DOH - ENVIRONMENTAL HEALTH  
REVIEW ITEM: Rezoning  
STATUS OF REVIEW: INFO  
REMARKS: n/a
2. DEPARTMENT: ENGDRN - STORMWATER REVIEW  
REVIEW ITEM: Rezoning  
STATUS OF REVIEW: INFO  
REMARKS: INFO. Stormwater is not opposed to the Rezoning. Please ensure LDC 6.13 is met with a Major Site Plan or Improvement Plans.

3. DEPARTMENT: ENGIN - DEVELOPMENT REVIEW  
REVIEW ITEM: 4.2.31.F(2)(b)1 - The name of the proposed PUD shall be centered at the top of the sheet along the long dimension of the sheet  
STATUS OF REVIEW: INFO  
REMARKS: 2/27/21 - Project name is not at top of page
4. DEPARTMENT: ENGIN - DEVELOPMENT REVIEW  
REVIEW ITEM: 2.12.4.C - Name, address, and phone number, of owner and applicant on front sheet  
STATUS OF REVIEW: INFO  
REMARKS: 2/27/21 - Owner info not found
5. DEPARTMENT: ENGTRF - TRAFFIC REVIEW  
REVIEW ITEM: Rezoning  
STATUS OF REVIEW: INFO  
REMARKS: 1. A traffic study will be required. A traffic study methodology must be submitted for approval prior to conducting the study. 2. Access management will be a significant concern for Parcel 45446-002-01. Due to the roadway classification, traffic speeds, and traffic volumes on SE 132nd Street Road and US 441 as well as the proximity to a major signalized intersection, the only access that is likely to be allowed for this parcel is a right-in/right-out access on SE 132nd Street Road.
6. DEPARTMENT: ENGTRF - TRAFFIC REVIEW  
REVIEW ITEM: 4.2.31.F(2)(b)(14) - Preliminary sidewalk and multimodal circulation plan  
STATUS OF REVIEW: INFO  
REMARKS: Internal sidewalk is required to connect all areas of the development along with external sidewalk along US 441, SE 132nd Street Road, and SE 135th Street.
7. DEPARTMENT: ENGTRF - TRAFFIC REVIEW  
REVIEW ITEM: 4.2.31.F(2)(b)(15) - Proposed parallel access locations  
STATUS OF REVIEW: INFO  
REMARKS: No external parallel access connections are proposed. Parallel access should be provided from Parcel 45446-000-00 to the north and from 45446-002-01 to the south and west.
8. DEPARTMENT: ENGTRF - TRAFFIC REVIEW  
REVIEW ITEM: 4.2.31.F(2)(b)(17) - Show any proposed land or right-of-way dedication  
STATUS OF REVIEW: INFO  
REMARKS: The existing right-of-way on SE 132nd Street Road is Over 200 feet wide. There is enough right-of-way if any additional improvements are needed to address traffic impacts.
9. DEPARTMENT: FRMSH - FIRE MARSHAL REVIEW  
REVIEW ITEM: 6.18.2 - Fire Flow/Fire Hydrant  
6.18.2 - Fire Flow/Fire Hydrant  
STATUS OF REVIEW: INFO  
REMARKS: Will need to provide fire department water supply through out all for all the new structures.
10. DEPARTMENT: FRMSH - FIRE MARSHAL REVIEW  
REVIEW ITEM: NFPA 1 Chapter 18.2.3 Fire Dept Access Roads  
STATUS OF REVIEW: INFO  
REMARKS: Site will need to comply with the minimum requirements of the Florida Fire Prevention Code Chapter 18 for fire department access and water supply.

11. DEPARTMENT: FRMSH - FIRE MARSHAL REVIEW  
REVIEW ITEM: Additional Fire Comments  
STATUS OF REVIEW: INFO  
REMARKS: Concept plan page 3 of 3 will need to be re-evaluated to ensure any fire department access roads greater than 150 feet shall provide a fire department turn around.  
Structures 20,000 or greater shall comply with the minimum requirements of the radio signal strength test.
12. DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW  
REVIEW ITEM: Proposed PUD Uses & Densities are consistent with Land Use Designation?  
STATUS OF REVIEW: INFO  
REMARKS: No information regarding type/extent of potential uses is provided for the Commercial identified portion of the site; this is a particular concern as the Developer's Agreement prohibits certain uses. The applicant may desire to identify commercial use area by establishing a list of uses, or referencing one or more of the existing commercial zoning classifications.
13. DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW  
REVIEW ITEM: Developer's Agreement for LUA/Zoning completed?  
STATUS OF REVIEW: INFO  
REMARKS:
14. DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW  
REVIEW ITEM: 2.12.4.L(2 & 3)/3.2.3 - Use Consistent with FLU Designation & All Developer's Agreements?  
STATUS OF REVIEW: INFO  
REMARKS: The plan lacks buffer cross-section illustrations which are a significant concern for the southern "Parcel 4" area. Plan sheet 3 further references providing the east buffer "where feasible" however the buffer is a Developer's Agreement requirement and as such compliance is required. Any potential change in the buffer first requires amending the Agreement and if not approved, the buffer may not be modified.
15. DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW  
REVIEW ITEM: 3.2.3/6.6/5.2.5/flood - RESIDENTIAL - Complies with Min/Max Density?  
STATUS OF REVIEW: INFO  
REMARKS: Staff understand the requested PUD proposes the general maximum number of residential units based on the acreages of the proposed residential development areas.
16. DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW  
REVIEW ITEM: 3.2.3 - NON-RESIDENTIAL - Complies with FAR?  
STATUS OF REVIEW: INFO  
REMARKS: The type/extent of commercial development is not clear. The site's Developer's Agreement does limit trip generation, and maximum development of the commercial identified for retail/office use would likely on its own exceed the maximum of 13,000 net new trips authorized by the Agreement.
17. DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW  
REVIEW ITEM: 2.12.4.L(6) Gross/wetland/floodplain acreage listed?  
STATUS OF REVIEW: INFO  
REMARKS: The site currently includes Marion County identified "flood prone" areas, that may be designated future flood plain. Should this occur, the site's maximum density may be reduced unless and until appropriate measures are undertaken to address the then designation flood plain areas.

18. DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW  
REVIEW ITEM: 2.12.5/1.8.2.A - Concurrency - Is Capacity Available?  
STATUS OF REVIEW: INFO  
REMARKS: Staff is aware that an amended traffic study was provided in 6/22/2005. However, that study is now significantly out of date. Further, the Developer's Agreement limits the overall project to not more than "13,000 net new trips."
19. DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW  
REVIEW ITEM: 2.12.5/1.8.2.F - Is Concurrency Approval or Deferral Elected?  
STATUS OF REVIEW: INFO  
REMARKS: Concurrency approval and certification is not required for conceptual/rezoning actions, though an applicant may pursue certification if desired. Subsequent development applications, including the Final Master Plan or equivalent, will need to address concurrency certification or elect deferral by providing the following note on the plan(s):  
"This proposed project has not been granted concurrency approval and/or granted and/or reserved any public facility capacities. Future rights to develop the property are subject to a deferred concurrency determination, and final approval to develop the property has not been obtained. The completion of concurrency review and/or approval has been deferred to later development review stages, such as, but not limited to, Master Plan, Preliminary Plat, Improvement Plan, Final Plat, Site Plan, or Building Permit review."
20. DEPARTMENT: UTIL - MARION COUNTY UTILITIES  
REVIEW ITEM: 6.14.2.A(1) - Public water service area/provider  
STATUS OF REVIEW: INFO  
REMARKS: City of Belleview Utilities (water & sewer both)
21. DEPARTMENT: UTIL - MARION COUNTY UTILITIES  
REVIEW ITEM: 6.14.2.A - Water Connection Requirements  
STATUS OF REVIEW: INFO  
REMARKS: If water is not available by area service provider, shall comply with Code requirements to serve development
22. DEPARTMENT: UTIL - MARION COUNTY UTILITIES  
REVIEW ITEM: 6.14.2.A - Sewer Connection Requirements  
STATUS OF REVIEW: INFO  
REMARKS: If sewer is not available by area service provider, shall comply with Code requirements to serve development
23. DEPARTMENT: UTIL - MARION COUNTY UTILITIES  
REVIEW ITEM: 6.15.3 - Fire Protection/Fire Flow Capacity  
STATUS OF REVIEW: INFO  
REMARKS: defer to MCFR
24. DEPARTMENT: ZONE - ZONING DEPARTMENT  
REVIEW ITEM: 4.2.31.F(2)(b) - Conceptual plan in compliance with Division 2.13 and 2.11.  
STATUS OF REVIEW: INFO  
REMARKS:
25. DEPARTMENT: ZONE - ZONING DEPARTMENT  
REVIEW ITEM: 4.2.31.F(1)(b) - Front page requirements.  
STATUS OF REVIEW: INFO  
REMARKS: Front page requirements are as follows below.

26. DEPARTMENT: ZONE - ZONING DEPARTMENT  
REVIEW ITEM: 4.2.31.F(2)(b)(2) - Vicinity map that depicts relationship of the site to the surrounding area within a 1-mile radius.  
STATUS OF REVIEW: INFO  
REMARKS: No vicinity map provided by applicant. All aerial maps are provided by staff.
27. DEPARTMENT: ZONE - ZONING DEPARTMENT  
REVIEW ITEM: 4.2.31.F(2)(b)(10) - Identify proposed phasing on the plan.  
STATUS OF REVIEW: INFO  
REMARKS: None provided.
28. DEPARTMENT: ZONE - ZONING DEPARTMENT  
REVIEW ITEM: 4.2.31.F(2)(b)(11) / 4.2.31.E(6) / 6.8.6 - Identify proposed buffers.  
STATUS OF REVIEW: INFO  
REMARKS: Buffers south of HWY 484 are not consistent with existing Developer's Agreement. Residential portion to the south must keep the 50' setback, the existing trees and plant trees to supplement the boundaries on the south and east portions of the property.
29. DEPARTMENT: ZONE - ZONING DEPARTMENT  
REVIEW ITEM: 4.2.31.F(2)(b)(18) / 4.2.31.E(7) - Identify any proposed parks or open spaces.  
STATUS OF REVIEW: INFO  
REMARKS: Plan says there is green space provided outside of the buffers and DRA but the conceptual plan does not show the dimensions of green space on the plan, this makes it very difficult to calculate. There are no recreational amenities provided. No county parks in the general vicinity.
30. DEPARTMENT: ZONE - ZONING DEPARTMENT  
REVIEW ITEM: 4.2.31.F(2)(b)(20) - Architectural renderings or color photos detailing the design features, color pallets, buffering details.  
STATUS OF REVIEW: INFO  
REMARKS: no color pallets provided
31. DEPARTMENT: ZONE - ZONING DEPARTMENT  
REVIEW ITEM: Location of water and sewer facilities.  
STATUS OF REVIEW: INFO  
REMARKS: Not shown on the site plans
32. DEPARTMENT: ZONE - ZONING DEPARTMENT  
REVIEW ITEM: Additional Zoning comments  
STATUS OF REVIEW: INFO  
REMARKS: Subject properties have an existing Developer's Agreement, 05-L69, that will need to be complied with.
33. DEPARTMENT: LSCAPE - LANDSCAPE DESIGN AND IRRIGATION  
REVIEW ITEM: Rezoning  
STATUS OF REVIEW: INFO  
REMARKS: Comments no response required - Sheet 2 of 3 references a type E buffer, no detail or description given

34. DEPARTMENT: 911 - 911 MANAGEMENT  
REVIEW ITEM: Rezoning  
STATUS OF REVIEW: INFO  
REMARKS: APPROVED - Sheet 1 has incorrect parcel numbers. Parcel 45331-000-00 should be 45332-000-00. Parcel 45446-002-00 should be 45446-002-02. Sheet 2 has an incorrect parcel number. Parcel 45331-000-00 should be 45332-000-00. These must be corrected on future plats to avoid rejection.
35. DEPARTMENT: 911 - 911 MANAGEMENT  
REVIEW ITEM: 6.2.1.F - North arrow and graphic drawing and written scale  
STATUS OF REVIEW: INFO  
REMARKS: APPROVED

If you have any questions please contact me at (352) 671-8682 or [carla.sansone@marioncountyfl.org](mailto:carla.sansone@marioncountyfl.org).

Sincerely,



Carla Sansone  
Development Review Coordinator

911 - (671-8460)

DOH - Ed Brown (622-7744)

ENGDRN - James Hulsey (671-8686)

ENGIN - Carla Sansone (671-8682)

ENGPJ - Bert Yancey (671-8683)

ENGSUR - Jerry Gowen (671-8686)

ENGTRF - Chris Zeigler (671-8378)

ENRAA - Cheryl Weaver (671-8679)

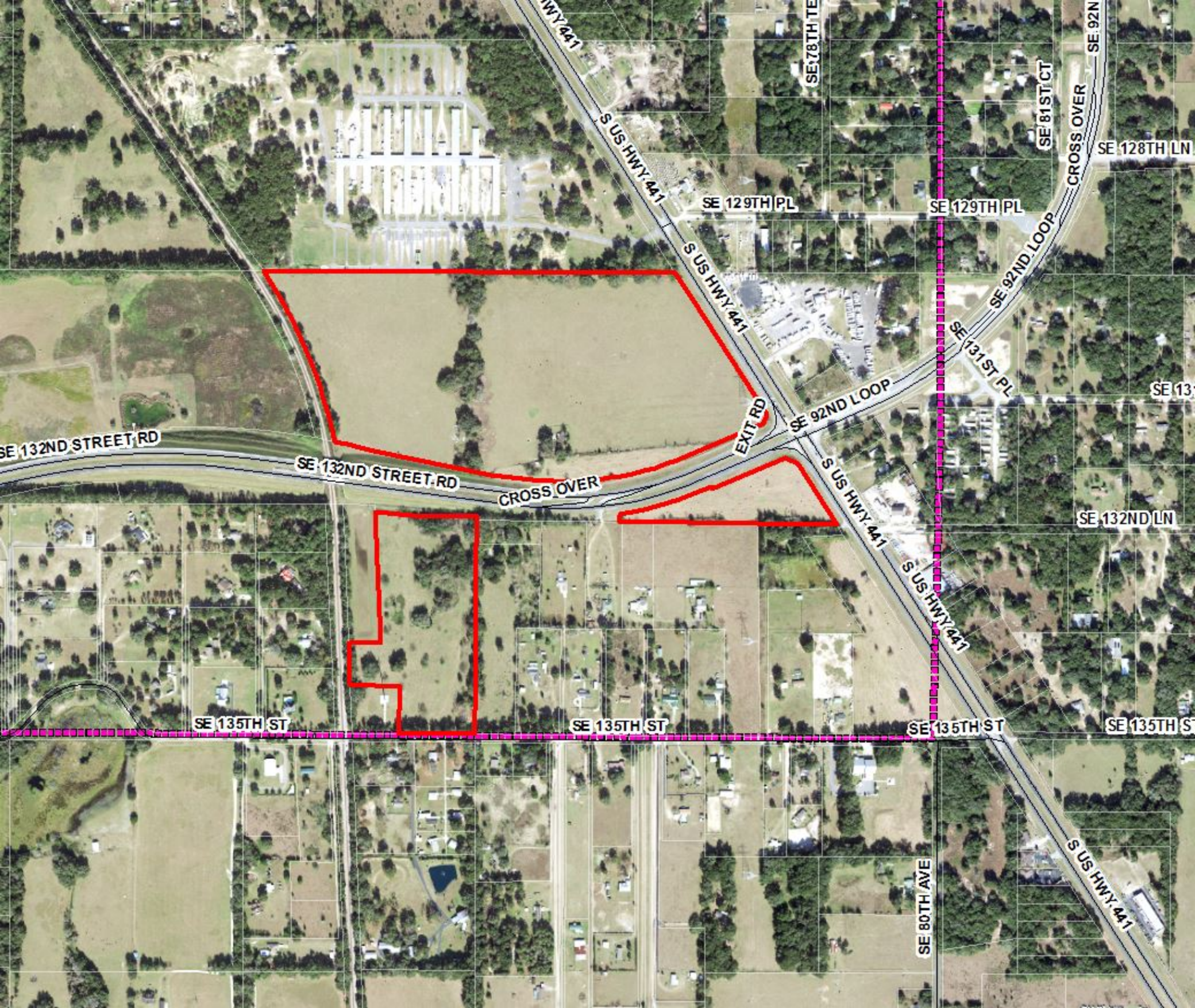
FRMSH - Ken McCann (291-8000)

LSCAPE - Susan Heyen (671-8556)

LUCURR - Chris Rison (438-2600)

UTIL - Carrie Hyde (307-6168)

ZONE - Zoning Department (438-2675)



HWY 441

SE 78TH TR

SE 92N

S US HWY 441

SE 129TH PL

SE 129TH PL

SE 81ST CT

SE 128TH LN

S US HWY 441

SE 92ND LOOP

SE 131ST PL

SE 13

SE 132ND STREET RD

SE 132ND STREET RD

CROSS OVER

EXIT RD

SE 92ND LOOP

S US HWY 441

S US HWY 441

SE 132ND LN

SE 135TH ST

SE 135TH ST

SE 135TH ST

SE 135TH S

SE 80TH AVE

S US HWY 441

## RESOLUTION NO. 18-R-235

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

WHEREAS, an application for a Special Use Permit was duly filed and considered by the Marion County Planning and Zoning Commission at its meeting on June 25, 2018; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida at its meeting on Tuesday, July 17, 2018, now therefore,

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

**SECTION 1. SPECIAL USE PERMIT APPLICATION APPROVAL 180704SU Nick Pucek.** The application requesting a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code as submitted by Mattaniah S. Jahn P.A., Palm Harbor, FL, a copy of said application being on file with the Marion County Growth Services Director, is hereby approved to construct a 199' Monopole Tower and associated compound, in a PUD (Planned Unit Development) zone, on a portion of Parcel Account No. 45446-002-00, .23 acres.

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

1. The site shall be developed consistent with the submitted Conceptual Plan.
2. The telecommunications tower shall be a monopole tower not to exceed a maximum height of 199' with antennas. The tower shall be designed and constructed to accommodate collocation for a minimum of four-telecommunication service providers as illustrated by the Special Use Permit Application materials.
3. The existing vegetative buffer shall be maintained along the subject property's four sides to provide visual buffering of the tower base compound. The trees may be removed and replaced consistent with LDC standards; however, in the event that all the trees are removed from any or all sides, a buffer shall be required consistent with Sec. 4.3.25.E.4.
4. The tower shall not be lighted per the Special Use Permit Application's findings of fact.

5. This special use is specific to this tower. Therefore, access to this tower cannot be used for any other commercial purposes. In the event the property is developed for commercial purposes, access shall connect to SE 132<sup>nd</sup> Street Rd.
6. Site shall be limited to one driveway.

**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 17<sup>th</sup> day of July, 2018.

ATTEST:

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

  
\_\_\_\_\_  
DAVID R. ELLSPERMANN, CLERK

  
\_\_\_\_\_  
KATHY BRYANT, CHAIRMAN





