

Bernard L. Little, Jr.

October 11, 2023

Charles Varadin, Director
Marion County Growth Services
chuck.varadin@marionfl.org

Reference: RaceTrac Application for Zoning Change, Parcel 07263-000-00

Chuck,

Through a subsidiary company, Misty Lane, LLC, I am a property owner in the Farmland Preservation Area. I am writing to **oppose** the application for a zoning change on the above referenced parcel by Del Lago Ventures, Inc. on behalf of RaceTrac.

RaceTrac wants to build a truck stop on an undeveloped parcel in the Farmland Preservation Area with a Rural Land use and Agricultural zoning. To do this would require a text amendment to the Comprehensive Plan to change the land use from Rural Land to Commercial and to change the Land Development Code zoning to Regional Business.

Instead, RaceTrac is attempting to bypass the Comprehensive Plan land use change and has applied to rezone the parcel to Rural Commercial. Rural Commercial is a very restricted, rarely used zoning classification. The *Intent of the Classification* sets the first 3 hurdles required to use it:

- The Rural Commercial classification is intended to provide for (1st hurdle) agricultural related commercial uses that would be (2nd hurdle) appropriate on Rural Lands not located in a Rural Activity Center. All (3rd hurdle) undeveloped commercial parcels located in the Rural Lands shall rezone to this reclassification prior to applying for development approval.

The 1st hurdle for the Rural Commercial zoning is the requirement that the use be for agricultural related commercial use. The USDA says “agricultural related use” means lands, buildings, or structures, used, designed, or intended for use for the purpose of a bona fide farming operation, including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping, equestrian facilities, and any other activities customarily carried on in the field of agriculture.

A truck stop is not an agricultural related use. This application does not clear the very first hurdle of Rural Commercial zoning and should be rejected without further review.

Post Office Box 5279 Ocala, FL 34478-5279
Phone: 352-804-2831 Email: BernardLittle@me.com

Attachment E

The 2nd hurdle requires the use be appropriate on Rural Lands. The Comprehensive Plan makes it clear that a truck stop is not appropriate on Rural Lands.

- Policy 2.1.6 Protection of Rural Areas
 - Rural and agricultural areas shall be protected from premature urbanization and a vibrant rural economy shall be encouraged outside the UGB and Planned Service Areas. Urban and suburban uses incompatible with agricultural uses shall be directed toward areas appropriate for urban development such as within the UGB and PSAs.
- Policy 2.1.7 Conversion of Rural Lands
 - Applications for conversion of agricultural properties designated as Rural Land on the Future Land Use Map to a mixed use, industrial, commercial or residential future land use category shall demonstrate the following:
 - The amendment will not result in urban sprawl as defined in Chapter 163, Part II, Florida Statutes;
 - Availability of public infrastructure, including public water and sewer and transportation facilities to serve a more dense or intense use is available at the time of application; or will be available at concurrently with development.
- Objective 3.3 The Farmland Preservation Area
 - Encourage preservation of agriculture as a viable use of lands and an asset of Marion County's economy and to protect the rural character of the area.
 - The County establishes this area as critical to the enhancement and preservation of its designation as the Horse Capital of the World.

A truck stop is not an appropriate use on Rural Lands. There is no public infrastructure to support this heavy commercial use, and if this application is approved, then urban sprawl will surely follow. This application is not consistent with the Comprehensive Plan and should be rejected outright.

The 3rd hurdle says all undeveloped commercial parcels located in the Rural Lands shall rezone to Rural Commercial. The RaceTrac parcel is an undeveloped agricultural parcel, not an undeveloped commercial parcel.

Even if RaceTrac cleared these first 3 hurdles regarding the Intent of the Classification, which it does not, then there is a 4th hurdle to use Rural Commercial zoning, **Permitted Uses**. While a convenience store, gas station is a permitted use, a truck stop is not a permitted use. Truck stops require a Commercial land use and Specialty Business or Regional Business zoning. The Land Development Code says truck stops are not permitted on Rural Lands or in the Rural Commercial zoning district.

Attachment E

The applicant wants us to believe this truck stop is not a truck stop, rather a rural, agricultural convenience store, gas station. However, it's impossible to ignore those FIVE semi-trucks fueling lanes and that space reserved for future semi-truck parking on their site plan. Just take a look at their original site plan to understand what they want for this site. If it walks like a truck stop, quacks like a truck stop and acts like a truck stop, it's a truck stop.

RaceTrac does not clear the first 3 hurdles regarding the ***Intent*** of the Classification, or the 4th hurdle of the ***Permitted Uses***. Yet, there is still an even higher 5th hurdle in the Comprehensive Plan for zoning changes in the Farmland Preservation Area.

- Objective 3.3.1 The Horse Farms Forever Amendment
 - The County shall preserve and protect rural and equestrian agricultural character within the Rural Lands, specifically the Farmland Preservation Area, by requiring that all appropriate future development activities within this Area preserve, support, and enhance the fundamental elements of rural character set forth below, and ***further requiring that all Zoning Changes and Special Use Permits within the Farmland Preservation Area be consistent with and preserve, protect, support, and enhance the rural, equestrian, and farmland character of the Farmland Preservation Area.***

A truck stop does not preserve, protect, support, and enhance the rural, equestrian, and farmland character of the Farmland Preservation Area as required for any zoning change in the Farmland Preservation Area, and no amount of fancy talk can make it.

The applicant has tried to create a distraction away from the five hurdles they don't clear by saying this is a major intersection and appropriate for development. Please take a look at the attached picture; it looks more like a quiet rural area about to be invaded by 24/7 noise, lights and semi-truck traffic.

If a RaceTrac truck stop is allowed to use Rural Commercial zoning, then what's next?

- Buc-ees just opened a 75,000 sq. ft. convenience store in Tennessee with 120 gas pumps. Could it do the same on any rural parcel in the FPA? Why not?
- Could Rural King open a new 150,000 sq. ft. "agricultural convenience store & gas station" on any rural parcel in the FPA? Why not?
- What about a 250,000 sq. ft. Walmart Superstore? They sell many of the same items that a RaceTrac truck stop sells. Why not?

The attempt to use Rural Commercial zoning for a truck stop is a shenanigan. A shenanigan is described as a tricky or questionable activity.

Attachment E

The proposed use is not agricultural related, and it is not appropriate on Rural Lands. Rural Commercial zoning is reserved for undeveloped commercial parcels. This parcel is agricultural, not commercial. A truck stop is not a permitted use in Rural Commercial zoning. To rezone this parcel for a truck stop does not preserve, protect, support, and enhance the rural, equestrian, and farmland character of the Farmland Preservation Area.

The application to use Rural Commercial zoning for a truck stop, pretending to not be a truck stop, just doesn't clear any of the required Comprehensive Plan and Land Development Code hurdles, and it also doesn't clear the common-sense hurdle. It's a wolf in sheep's clothing. The fable of a wolf in sheep's clothing describes a wolf pretending to be a sheep so it can go where it's not welcome. The applicant wants to dress the RaceTrac truck stop in sheep's clothing and call it a rural agricultural convenience store, gas station.

Please don't let RaceTrac pull the wool over your eyes. This attempt to use Rural Commercial zoning should be rejected for the shenanigan that it is.

Thank you for your consideration,

A handwritten signature in blue ink, appearing to read "Pamela L. ...". The signature is written in a cursive style with a long, sweeping underline.





Florida Thoroughbred Breeders' and Owners' Association

Lonny Taylor Powell
CEO & Executive Vice President

George Isaacs
President

George Russell
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Joseph M. O'Farrell III
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Nick de Meric
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Laurine Fuller-Vargas
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Mary Lightner

Past Presidents

Phil Matthews, DVM
Greg Wheeler
Don Dizney
John C. Weber, MD

November 2, 2023

To: Marion County Board of County Commissioners

Subject: The Farmland Preservation Area

As a founding member of Horse Farms Forever, the Florida Thoroughbred Breeders' & Owners' Association (FTBOA) supports Horse Farms Forever's current and ongoing efforts to protect and preserve the Farmland Preservation Area from incompatible development.

In particular, the current application by RaceTrac to build a truck stop in the Farmland Preservation Area on Rural Lands with Agricultural zoning does not match the intent of the FPA. The Comprehensive Plan and Land Development Codes do not allow a truck stop on Rural Lands. RaceTrac is attempting to make the truck stop appear as a rural agricultural convenience store gas station. We encourage you to consider not approving the application.

Protecting our globally recognized signature Horse Capital of the World® brand promoting the goods and services of the equine industry in Marion County which is 18% of the GDP, creating more than 22,000 jobs, and preserves vital farmlands is important. The FPA ensures our horse country, Thoroughbred industry, farms and agricultural way of life remain vital to the economics, cultural foundation and quality of life in Marion County.

Thank you for protecting the Farmland Preservation Area.

Sincerely,

Lonny Powell CEO



6998 N US Hwy 27, Unit 114 • Ocala FL 34482 • Phone: 352.620.0643.
E-Mail: matt@ocalahorseproperties.com Fax: 866-395-9437

November 6, 2023

To: Marion County Board of County Commissioners

Subject: The Farmland Preservation Area

On behalf of Ocala Horse Properties, we fully support Horse Farms Forever in their mission to vigorously protect the designated Farmland Preservation Area. Horses, horse farms, and the Farmland Preservation Area create the character and culture that makes Marion County unique and special. It would be a shame for that character and culture to be compromised by incompatible short-term zoning decisions.

In particular, the current application by RaceTrac to build a truck stop in the Farmland Preservation Area on Rural Lands with Agricultural zoning should not be allowed. The Comprehensive Plan and Land Development Codes do not allow a truck stop on Rural Lands. The attempt by RaceTrac to disguise this truck stop as a rural agricultural convenience store gas station should be denied.

In summary, we respectfully ask the Commissioners to continue their strong support for the Farmland Preservation Area and encourage you to maintain the integrity of the area by adhering to the Comprehensive Plan and Land Development Code. This will preserve this very special area for many generations to come.

Sincerely,

A handwritten signature in blue ink, appearing to be "M. Varney", with a long horizontal flourish extending to the right.

Matt Varney
Broker of Ocala Horse Properties

Soucey, Stephanie

From: Clark, Jennifer
Sent: Friday, November 17, 2023 9:14 AM
To: Debbie Pareja-Penton; County Commissioners
Subject: RE: Farmland Preservation Area

Good morning Ms. Penton,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark
Executive Assistant to the Commission
Board of County Commissioners
Main: 352-438-2300 | Direct: 352-438-2321 Empowering Marion for Success!

-----Original Message-----

From: Debbie Pareja-Penton <daps130@yahoo.com>
Sent: Thursday, November 16, 2023 9:33 PM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject: Farmland Preservation Area

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Commissioners,

I write to you to urge you to protect our farmlands and rural character of our county. Please do not allow further encroachment into the farmland preservation area and do not support any more re-zoning or exceptions in this protected area.

Respectfully,

Debbie Penton

Soucey, Stephanie

From: Clark, Jennifer
Sent: Friday, November 17, 2023 9:15 AM
To: Eve Appelbaum; County Commissioners
Subject: RE: Racetrac Application

Good morning Ms. Appelbaum,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark

Executive Assistant to the Commission
Board of County Commissioners
Main: 352-438-2300 | Direct: 352-438-2321
Empowering Marion for Success!

From: Eve Appelbaum <appelbaumeve@gmail.com>
Sent: Thursday, November 16, 2023 5:57 PM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject: Racetrac Application

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Dear Sirs and Madams:

I urge you to deny Racetrac's application to encroach on the agricultural preservation area. It would be disastrous for the area and a gross violation.

My daughter owns a small horse farm in the area. I along with many many people I know moved to Ocala for the beauty of the area.

Thank you, Eve Appelbaum

Eve Appelbaum
404-290-0918

Soucey, Stephanie

From: Clark, Jennifer
Sent: Friday, November 17, 2023 9:15 AM
To: Tammy Crowe; County Commissioners
Subject: RE:

Good morning Ms. Crowe,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark

Executive Assistant to the Commission
Board of County Commissioners
Main: 352-438-2300 | Direct: 352-438-2321
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From: Tammy Crowe <moneyhappy15@gmail.com>
Sent: Thursday, November 16, 2023 4:42 PM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject:

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To whom it may concern,

I am writing to you about my concern that RaceTrac has applied to build a truck stop deep inside the Farmland Preservation Area. This should not be allowed. Once you make this approval you open the doors to other corporations to do the same, Until there is nothing left of Marion County's Farmland. Ocala has the honor of calling itself the house capital of the world. It is approvals like the one listed above, that will slowly strip Ocala of that title and change this community forever.

Please do the right thing and do not approve this change. of the Farmland Preservation Area.

Sincerely,
Tammy Crowe

Soucey, Stephanie

From: Clark, Jennifer
Sent: Friday, November 17, 2023 11:39 AM
To: Terri Bushnell; County Commissioners
Subject: RE: Racetrack

Follow Up Flag: Follow up
Flag Status: Completed

Good morning Ms. Bushnell,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark

Executive Assistant to the Commission

Board of County Commissioners

Main: 352-438-2300 | Direct: 352-438-2321

Empowering Marion for Success!

From: Terri Bushnell <prancingpony777@gmail.com>
Sent: Friday, November 17, 2023 10:45 AM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject: Racetrack

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Please do not allow this travesty of a wolf in sheep's clothing to creep into our preservation land. We need our horse and cattle farms to remain sacred and not allow these corporate sneaks to get their claws further into our farm land. Bad enough that buyers will be here which will more than solve that issue and of course create more traffic. It's imperative to keep IRacetrack out of this area and preserve the farmland that make marion County the horse capital of the world, not the truck stop capital of the south!

Theresa Bushnell, ocala fl

Soucey, Stephanie

From: Clark, Jennifer
Sent: Friday, November 17, 2023 11:39 AM
To: jumphigh83; County Commissioners
Subject: RE: Racetrac at 329 and 301/441

Follow Up Flag: Follow up
Flag Status: Completed

Good morning,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark
Executive Assistant to the Commission
Board of County Commissioners
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From: jumphigh83 <jumphigh83@aol.com>
Sent: Friday, November 17, 2023 10:52 AM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject: Racetrac at 329 and 301/441

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I am 100% against this proposal. That intersection is VERY dangerous with trucks and cars running the light and many very bad crashes. We don't need any more truck stops not even anywhere near an interstate. Stop bulldozing and paving protected farmland. All the development without adequate infrastructure, police, fire, ambulance etc. Sick of Ocala becoming Orlando. We live here because it's rural. Stop the money grubbing development of everything here.
E Worthington
Citra FL

Sent via the Samsung Galaxy S9+, an AT&T 5G Evolution capable smartphone

Soucey, Stephanie

From: Clark, Jennifer
Sent: Friday, November 17, 2023 3:16 PM
To: MJ Thompson; County Commissioners
Subject: RE:

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark
Executive Assistant to the Commission
Board of County Commissioners
Main: 352-438-2300 | Direct: 352-438-2321
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From: MJ Thompson <mjt.fl09@gmail.com>
Sent: Friday, November 17, 2023 2:21 PM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject:

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Race Trac application for 301/441
Marion County animal shelter
Jumbolair land use/rezoning
Jockey Club land use

When is it going stop? When are you people going to stop destroying this county? It is pathetic! There is no respect for the environment, the wildlife, our way of life. The traffic is horrific, services are lacking, and the plan for Jumbolair will cause multiple issues including air, ground, and noise pollution.

Meanwhile, dogs are being killed on the roads because owners are turning them loose. County is FULL and not taking surrenders. Have any of you been there? It is beyond depressing. BUILD THE SHELTER!!!

Furthermore, you who take donations from builders, developers, and planners should NOT be voting on property development. It is a conflict of interest.

The public is waking up.

Attachment E

Soucey, Stephanie

From: Clark, Jennifer
Sent: Friday, November 17, 2023 3:18 PM
To: Denise March Denise March; County Commissioners
Subject: RE: Farmland Preservation vs Racetrac Truck Stop proposal

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon Mr. & Mrs. March,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark
Executive Assistant to the Commission
Board of County Commissioners
Main: 352-438-2300 | Direct: 352-438-2321 Empowering Marion for Success!

-----Original Message-----

From: Denise March Denise March <denisemarch@me.com>
Sent: Friday, November 17, 2023 2:08 PM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject: Farmland Preservation vs Racetrac Truck Stop proposal

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Please do not allow this type of activity in that area.
There are plenty of other locations that are more suitable in Marion County.
Thank you.

Mark & Denise March
6578 SE 183RD AVENUE Rd
Ocklawaha FL 32179

Soucey, Stephanie

From: Niall Brennan <niall@niallbrennan.com>
Sent: Thursday, November 16, 2023 9:38 AM
To: County Commissioners
Subject: Zoning Change

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Dear Commissioners,

I am a large Land Owner in Northwest Marion County and I strongly oppose the Zoning Change Application by RaceTrac for the property at the intersection of 441 and 301 from Rural to Rural Commercial, which is actually an Oxymoron, to build a Gas Station / Truck Stop. It's your Job to prevent commercial encroachment into our Farmland Preservation Area. Thank You.

Best Regards,

Niall Brennan.

Soucey, Stephanie

From: Sheila L Wickstrom <wakajama@me.com>
Sent: Thursday, November 16, 2023 8:47 AM
To: County Commissioners
Subject: RaceTrac!!!!!!!

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I've enjoyed bringing my show horses up from S Florida for 35 years. I can't count the number of my retired equines who spent their retired years on Ocala pastures. So now I happily live here.

I never had any problem gasing up my rig before heading into Ocala. Truckers and travelers know where the gas stations are and plan accordingly. There is no earthly reason to put any kind of gas station on the site Racetrac is seeking. When we travel, we ALL!! have to plan our "gas up" locations.

Send RaceTrac away. No zoning change whatsoever!!!!

Soucey, Stephanie

From: Medina, Gennifer
Sent: Thursday, November 16, 2023 12:52 PM
To: Gloria Oest
Cc: County Commissioners
Subject: RE: Race Track

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon Ms. Oest,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Regards,

Gennifer Medina
Executive Assistant to Commission
Board of County Commissioners
Main: 352-438-2300 | Direct: 352-438-2338 Empowering Marion for Success!

-----Original Message-----

From: Gloria Oest <inky571@gmail.com>
Sent: Thursday, November 16, 2023 12:35 PM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject: Race Track

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Please don't let Race Track build a truck stop in any form on farmland conserved space. Development is already changing the face of Marion County, not in a positive way. This proposal is one more egregious attempt to change our cherished culture of farmland and horses. Don't let them succeed. Thanks for your attention to this issue
GloriaOest

Sent from my iPad

Soucey, Stephanie

From: Clark, Jennifer
Sent: Thursday, November 16, 2023 3:45 PM
To: Jill Norair; County Commissioners
Subject: RE: Race trac

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Ms. Norair,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark
Executive Assistant to the Commission
Board of County Commissioners
Main: 352-438-2300 | Direct: 352-438-2321 Empowering Marion for Success!

-----Original Message-----

From: Jill Norair <jnorair@gmail.com>
Sent: Thursday, November 16, 2023 3:32 PM
To: County Commissioners <CountyCommissioners@marionfl.org>
Cc: Jill Norair <jnorair@gmail.com>
Subject: Race trac

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Please do not allow this in the farmland area! Marion County is already getting way too crowded and developed. We don't need more!

Thank you
JILL NORAIR

Soucey, Stephanie

From: Clark, Jennifer
Sent: Friday, November 17, 2023 8:58 AM
To: Ann Pollard; County Commissioners
Subject: RE: Farmland Preservation

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Ms. Pollard,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark
Executive Assistant to the Commission
Board of County Commissioners
Main: 352-438-2300 | Direct: 352-438-2321
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From: Ann Pollard <afp2140@gmail.com>
Sent: Friday, November 17, 2023 8:40 AM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject: Farmland Preservation

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Hello and Good Morning,

I'd like to thank each of you for your longstanding support for farmland preservation. i am asking you to continue to uphold the Comprehensive Plan's protections for the Farmland Preservation Area.

Thank you and have a Happy Thanksgiving.

Ann Pollard

Soucey, Stephanie

From: Clark, Jennifer
Sent: Friday, November 17, 2023 9:00 AM
To: dropdeck2@aol.com; County Commissioners
Subject: RE: Racetrac at 329-301/441

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Ms. McClintick,

Please accept this message as notice of receipt of your email. Please note that your comments have been forwarded to the appropriate department to ensure they are included in the public record for this item.

Jennifer Clark

Executive Assistant to the Commission

Board of County Commissioners

Main: 352-438-2300 | Direct: 352-438-2321

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From: dropdeck2@aol.com <dropdeck2@aol.com>
Sent: Friday, November 17, 2023 5:55 AM
To: County Commissioners <CountyCommissioners@marionfl.org>
Subject: Racetrac at 329-301/441

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Dear Commisssoners,

I am writing about the proposed zoning changes to this area. I do understand that on paper it looks like a great place for another gas station/truck stop but please look closer. I have driven this road daily for 28 years and the number of accidents that happen at that intersection is quite large. The intersection would need a major overhaul not to mention that 329 would need improvements to handle any kind of business there. With all that truck traffic will that work well with the 2 schools located on 329? Directly behind this property there are 3 maybe 4 brand new mini farms and I am sure when they built thier homes they were not expeting thier new neighbors would be semi trucks. I wonder what that would do to thier home value? The area is in the farmland preservation area and the propsed business does not fit nor will the future pressure it will cause on the area later. Do we really need another gas station of any kind at that intersection? Marion county is the Horse capital not the gas station/car wash/Dollar General capital. (Also 3 miles north is where American Pharoah learned to be a racehorse) Please don't make the north part of the county a clusterd nightmare that the south part of the county is. We moved rural because that is the life style we like.

Beckie McClintick