

September 7, 2022

adopted to create the MSBU to be in compliance with the Land Development Code and a Rate Resolution will be adopted at a later date.

Budget/Impact: None.

Recommended Action: Motion to adopt the Ordinance to create a Municipal Services Benefit Unit (MSBU) for General Maintenance and Capital Improvements associated with the Bel Lago, West Hamlet subdivision and authorize the Chairman and Clerk to execute the same.

MSTU Director Alan Jones provided a brief overview of the MSBU request for Bel Lago, West Hamlet subdivision.

Chairman Zalak opened the floor to public comment.

There being none, Chairman Zalak advised that public comment is now closed.

A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to adopt Ordinance 22-39 creating an MSBU for General Maintenance and Capital Improvements associated with the Bel Lago, West Hamlet Subdivision. The motion was unanimously approved by the Board (5-0).

Ordinance 22-39 is entitled:

AN ORDINANCE OF MARION COUNTY, FLORIDA, ESTABLISHING BEL LAGO WEST HAMLET MUNICIPAL SERVICE BENEFIT UNIT FOR GENERAL MAINTENANCE AND CAPITAL IMPROVEMENTS; PROVIDING FOR A PURPOSE; PROVIDING FOR THE POWERS OF THE GOVERNING BODY; AUTHORIZING SPECIAL ASSESSMENTS; PROVIDING FOR A BUDGET; PROVIDING FOR COLLECTION OF SPECIAL ASSESSMENTS; PROVIDING FOR LIENS ON PROPERTY; PROVIDING FOR EXPENDITURE OF REVENUE; PROVIDING FOR REIMBURSEMENT OF FUNDS FOR ADMINISTRATIVE ASSISTANCE BY COUNTY OFFICIALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

#### **15.2. Planning and Zoning Items for Individual Consideration:**

Commissioner Gold out at 2:23 p.m.

County Attorney Matthew G. Minter provided a brief overview of the process for today's zoning and Special Use Permit hearings. He noted the applicant will be given an opportunity to give their initial presentation to the BCC or they may wait until after public comment, at which time the applicant (or agent) will respond. If a speaker has questions for the applicant, they must address the BCC at the podium and the Board will then in turn direct those issues to the applicant for a response.

Mr. Minter requested that everyone who will be testifying today to please stand and be sworn in en masse.

Commissioner Gold returned at 2:26 p.m.

→ **15.2.2. 220807Z - Sun Golf, LLC., David A. Black, Rezoning Modification to Amend Part of an Existing Planned Unit Development (PUD) to Make a Maximum Total of Five (5) New Single-Family Residential (SFR) Home Lots Fronting on SE 121<sup>st</sup> Circle From Parts of the Meadows at Stonecrest, Unit 1, Tracts "B" and "C, 1.73 Acres. Location: Within the Stonecrest Development of Regional Impact (DRI).**

The Board considered a petition by Sun Golf, LLC. David A. Black, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, to modify an existing

September 7, 2022

Planned Unit Development (PUD - 20040110Z) to make a maximum total of five (5) new single-family residential (SFR) home lots fronting on SE 121<sup>st</sup> Circle from parts of The Meadows at Stonecrest, Unit 1, Tracts "B" and "C" (one (1) on the north side and four (4) on the south side) on an approximate 1.73 Acres, on Parcel Account Number 6200-002-002, located within the Stonecrest DRI, adjoining and southeast of the Meadows at Stonecrest pool recreation complex.

**P&Z PUBLIC HEARING ON JULY 25, 2022**

**220807Z Planning and Zoning Commission Recommendation**

Motion was made by Mr. Kroitor, seconded by Mr. Bonner, to agree with staff's findings and recommendation, and recommend approval with conditions of the Special Use Permit based on the following findings of fact:

- A. Will not adversely affect the public interest due to the proposed design and recommended conditions;
- B. Is consistent with the following Comprehensive Plan provisions
  1. FLUE Policies 1.1.6, 1.1.9, 2.1.18, and 6.1.3
  2. TE Policy 2.1.4
- C. Is compatible with the surrounding uses due to its proposed design and the recommended conditions.

The Motion passed 7-0

Senior Planner Chris Rison, Growth Services, provided a brief overview of the PUD modification request for parts of the Meadows at Stonecrest, Unit 1, which was originally approved in 2004.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval with the following PUD Conditions:

1. The PUD development shall be connected to Marion County Utilities' central potable water services.
2. The PUD development shall be connected to Marion County Utilities' central sewer services.
3. The PUD shall be developed consistent with the PUD Application and PUD Concept Plan Set (6/2/2022; see attachment B) and the development conditions for this approval.
4. The PUD shall consist of up to five (5) single-story single-family retirement dwelling units that observe the development standards of the existing Meadows at Stonecrest PUD, Case No. 20040110Z, including observing the following setbacks:

Front – 15'      Rear 15'      Side 5'      Accessory 5'

In response to Chairman Zalak, Mr. Rison advised that Stormwater staff did review the proposed change and indicated some adjustment may be necessary, but those concerns can be addressed upon review of the final plans. He stated a Homeowners Association (HOA) was established within the last few months.

Chairman Zalak questioned if it was this development that had previous capacity issues relating to amenities. Ms. Straub advised that the stormwater system was only designed for a certain amount of homes at a certain size, noting the developer will have to determine if the removal of the golf course will provide enough stormwater capacity for the proposed houses. She stated the developer can either modify the storm water system or the HOA can accept the additional runoff, which is what was originally offered, but the HOA refused it in the past. Ms. Straub advised that there are ponds around the golf

September 7, 2022

course, which will expand out into the greenspace. She stated the developer will have to permit any changes with the District.

It was noted for the record that the applicant was not present.

In response to Commissioner Curry, Mr. Rison advised that the developer will determine what stormwater capacity is currently available and if it is not available the developer will have to adjust the existing ponds to provide for the appropriate capacity.

Chairman Zalak opened the floor to public comment.

Larry Stoever, 119<sup>th</sup> Circle, Summerfield, expressed opposition to the modification and commented on existing and potential open space.

General discussion ensued.

In response to Commissioner Gold, Mr. Rison advised that if the modification is not approved the applicant could utilize the property for an activity related to the golf course and open space or other recreation facilities could be built on the property. He stated any residential development would have to go through the PUD Amendment process.

Commissioner Bryant questioned if a maintenance building could be built on the property.

Mr. Rison advised that the property is designated as recreation open space; therefore, any other type of facility would not be allowed. He stated there is already a maintenance facility included in the PUD.

Chairman Zalak advised that public comment is now closed.

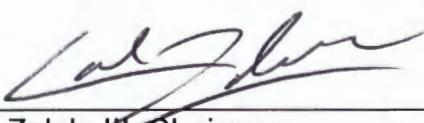
In response to Chairman Zalak, Mr. Rison advised that some of the adjacent properties do have plantings in the rear of their properties, but others do not have buffers in place. He stated most of tracts throughout the Stonecrest development are surrounded by residential homes.

A motion was made by Commissioner Stone, seconded by Commissioner Gold, to deny the PUD Modification, disagreeing with Growth Services staff and the P&Z Commission, based on findings and recommendations that the proposed use will adversely affect the public interest, is not consistent with the Comprehensive Plan and is not compatible with the surrounding land uses. The motion was unanimously approved by the Board (5-0).

### **15.3. Adoption of Ordinance: NONE**

(Ed. Note: The Deputy Clerk was in receipt of Affidavits of Mailing and Posting of Notices from Growth Services Director Earl Hahn and Deputy Clerk Lewter regarding petitions for rezoning and Special Use Permits heard earlier in the meeting.)

There being no further business to come before the Board, the meeting thereupon adjourned at 2:49 p.m.



Carl Zalak, III, Chairman

Attest:



Gregory C. Harrell, Clerk