

All records pertaining to notice to property owners, all correspondence and other related information pertaining to individual Zoning Change and Special Use Permit requests are located in the Planning and Zoning Department files for record purposes.

The Marion County Planning and Zoning Commission met on September 30, 2024 at 5:30 pm in the Board of County Commissioners Auditorium, 601 SE 25th Avenue, Ocala Florida.

PLEDGE OF ALLEGIANCE AND INVOCATION

Michael Behar led the Invocation and the Pledge of Allegiance.

CALL TO ORDER

Board members present were Chairman Greg Lord, Michael Kroitor, Michael Behar, Andy Bonner, Jerry Lourenco, Danny Gaekwad and alternate member Thomas Fisher.

Staff members present were Chief Assistant County Attorney Dana Olesky, Growth Services Director Chuck Varadin, Deputy Director Ken Weyrauch, Planners Chris Rison, Kathleen Brugnoli, Kenneth Odom, Eryn Mertens, GIS Technician Analyst Antony Alva, Administrative Manager Sage Dick and Administrative Staff Assistant Autumn Williams.

ACKNOWLEDGEMENT OF PROOF OF PUBLICATION AND MAILING AND POSTING OF NOTICE

Autumn Williams read the Proof of Publication and the Affidavit of Mailing and Posting of Notice, and advised that the meeting was properly advertised.

EXPLANATION OF PROCEDURE FOR HEARING REQUESTS

Chairman Greg Lord and Chief Assistant County Attorney Dana Olesky explained the procedure for hearing requests to the audience.

Deputy Director Ken Weyrauch gave an update in regards to the Marion County Evaluation and Appraisal Report (EAR).

1. Items on the Consent Agenda

240902SU – Dinkins & Dinkins

Special Use Permit to Allow for Outdoor Storage Tank in a Community Business (B-2) Zone, 1.83 Acres, Parcel Account Number 29580-000-06, Site Address 3751 SE 36th Avenue, Ocala FL 34471

241003SU – Aldana Land Development, LLC

Special Use Permit to Allow for Construction of a Storage Warehouse in a Community Business (B-2) Zone, 2.74 Acres, Parcel Account Number 41489-001-00, No Address Assigned

241004SU - Finney's Professional Pressure Washing, LLC

Special Use Permit to Modify Existing Special Use Permit (221104SU) for Storage of Equipment from 30' x 50' to 36' x 55' with an Additional 12' x 55' Lean-To in a Rural Commercial (RC-1) Zone, 2.79 Acres, Parcel Account Number 50063-001-01, Site Address 17900 S Highway 25, Weirsdale, FL 32195

241005ZC - TLC Group Services, LLC

Zoning Change from Regional Business (B-4) to Rural Residential (RR-1), 0.50 Acres, Parcel Account Number 2002-057-001, No Address Assigned

Danny Gaekwad made a motion to agree with staff's findings and recommendations, and recommend approval of the applications on the consent agenda because they will not adversely affect the public interest, are consistent with the Marion County Comprehensive Plan, and are compatible with the surrounding land uses. Seconded by Michael Behar. Motion passed unanimously, 7-0.

2. Consider the Following Individual Requests**241007ZP - Optimum Dealership Group, LLC, Florida Investment Fund of Birmingham, LLC, Investment Company of Florida, LLC, Simeon Holdings, LLC, and Gary and Pamela Turnley (PULLED FROM CONSENT)**

Zoning Change from General Agriculture (A-1), Community Business (B-2), Regional Business (B-4), and Heavy Business (B-5) to Planned Unit Development (PUD), 81.85 Acre Tract, Parcel Account Numbers 36475-000-00, 36474-000-00, 36474-001-00, 36547-001-00, 36547-000-00, 36547-002-00, and 36514-000-00, Site Address 2916 SE 73rd S, 2920 SE 73rd ST, 2700 SE 73rd ST, 7350 S US Hwy 441, 7392 S US Hwy 441, 7400 S US Hwy 441, and 7680 S US Hwy 441, Ocala FL 34480

Planner Chris Rison, Growth Services, presented the case and read the report into the record. Staff recommends Approval with Conditions.

Fred N. Roberts, Jr. ESQ, 40 SE 11th Avenue, Ocala, FL 34471, on behalf of the property owner and applicant, addressed the Board.

The following members of the public spoke during Public Comment:

- Dion Osborne – 1970 SE 73rd Loop, Ocala
 - Opposed, concerns about traffic, safety due to numerous accidents in the area, drainage, buffering, and lighting.
- Lori Deiorio – 2025 SE 73rd Loop, Ocala
 - Opposed, concerns of past violations and previous bad behavior of applicant, issues with additional traffic on SE 73rd Loop and damage to the road. Requests a traffic study.

Jerry Lourenco made a motion to agree with staff's findings and recommendation, and recommend approval with conditions of this application because it will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Seconded by Andy Bonner. Motion passed (6 to 1), with Danny Gaekwad dissenting.

241001SU - Sanctuary to the Maxx, Inc

Special Use Permit for Parking to Allow for a Rescue Kennel in General Agriculture (A-1) Zone, 5.03 Acres, Parcel Account Number 0577-030-000, Site Address 13250 NW 160th Avenue, Morriston, FL 32668

Planner Ken Odom, Growth Services, presented the case and read the report into the record. Staff recommends Approval with Conditions.

Dori Lopriore, 21875 Sea Cliff, Morriston, FL 32668, property owner and applicant, addressed the Board.

The following members of the public spoke during Public Comment:

- James Hartley, ESQ with Gooding & Batsel PLLC – 1531 SE 36th Avenue, Ocala, FL 34471
 - Opposed, discusses consistency with comp plan and the comfort/compatibility of the surrounding community. States concern with the staffs recommended condition of watching of friend's pets (even on a temporary basis) and the concern of this being a loop hole to application and how this has been operating without a license not abiding by the law. Speaks on current and past code cases/violations and the conditions of the animals and their living space (size of parcel and the number of animals being allowed). Describes wanting to preserving the Farmland Preservation Area and feels by approving this here, would take away the equestrian ability in this area by not allowing open green grazing space. Provided a handout with alternative/revised conditions should SUP be approved.
- Linda Lear – 13200 NW 160th Avenue, Morriston, FL 32668 (given 5 minutes to speak due to the following citizens relinquishing their time to her: Frances Loomis - 13610 NW 160th Ave., Morriston, FL 32668; Sherry Cannon - 13564 NW 160th Ave., Morriston, FL 32668; Trisha Loomis - 13600 NW 160th Ave., Morriston, FL 32668)
 - Opposed, concerns of additional traffic, roaming pet, rabies/vaccines not being maintained. Why has this not been shut down for the resident's protection? States shelter dogs have killed turtles on the parcel. Requesting SUP is denied.
- Trish Baumgardner – 18655 NW 146th Avenue, Williston, FL 32668
 - Opposed, would like for more frequent inspections and reduced numbers of animals being taken in/allowed to stay.
- Karen Warren - 13245 NW 160th Avenue, Morriston, FL 32668
 - Opposed, issue with the dogs being wild and attaching/killing turtles on the property which has made brought her fear when being outside.

- Jeannie Ordway – 409 E Fort King Street, Ocala, FL 34471 (reading a letter on behalf of Donna Natale – 16379 NW 130th ST, Williston, FL 32696)
 - Opposed, complains of noise level from the barking dogs and the smell emitting from this parcel. and does not feel like this is an appropriate location.
- Marry Ball – 13151 NW 160th Avenue, Morriston, FL 32668
 - Opposed, concerns of traffic dropping animals off and that the applicant not currently complying with the rules/regulations in place, thus far. Complains of noise level from the barking dogs and smell.
- Steve Loomis – 13610 NW 160th Avenue, Morriston, FL 32668
 - Opposed, concerns for his grandkids who ride their bikes in the area. Complains of smell.
- Brad Pagh – 16280 NW 112th Place, Morriston, FL 32668
 - Opposed, concurs with what has already been stated and has seen the damage a dog attack can have on a horse.
- Jennifer Souders Boyle – 13524 NW 160th Avenue, Morriston, FL 32668
 - Opposed, states she walks out her home and looks directly at the piles of dirt that have been dumped on the property. Concerns of the dogs being allowed on the parcel and what regulations for them will be required. States the dogs are aggressive and she has had to push the dogs off of her property and back on the subject parcel due to fencing not closing in all corners. She no longer allows her own dogs into this pasture for fear of an issue with shelter dogs causing them injury. Complains of smell.
- John Berkeley – 19630 SE 15th Place, Morriston, FL 32668 (reading a letter on behalf of Dr. Tonya Shulman – 16171 NW 130th Avenue, Williston, FL 32696)
 - Opposed, concurs with all previously stated concerns.
- Carmelita Halchak – 13624 NW 160th Avenue, Morriston, FL 32668
 - Opposed, concerns for the turtles that were attacked and the causes fear it could be her kids/grandkids next time. Wants to know where the dying animals are being disposed of?
- Cecily Zuidema – 13260 NW 160th Avenue, Morriston, FL 32668
 - Opposed, concerns for the other animals and the noise level. States this will decrease the property values of everyone surrounding and thinks this is a bad fit for the area.
- Brandie Holmes – 11549 SW 145th Loop, Dunnellon, FL 34432
 - Supports, states there is a lack of supporting evidence provided from all those opposed.

Jerry Lourenco made a motion to agree with staff's findings and recommendation, and recommend approval with conditions of this application because it will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Seconded by Danny Gaekwad. Motion passed (4 to 3), with Michael Behar, Andy Bonner, and Thomas Fisher dissenting.

241002SU - Kingsland Land Holdings, LLC

Special Use Permit to Allow for a New 123' Monopole Cell Tower and Ground Equipment in Single-Family Dwelling (R-1) Zone, 21.56 Acres, Parcel Account Number 3506-000-005, No Address Assigned

This case was continued to date certain of next P&Z Meeting on Monday, October 28, 2024 at 5:30PM at the request of the applicant.

24-S09 - CTK Interchange, Inc – The DEG Group, Inc and Christine Riley (WITHDRAWN)

Small Scale Land Use Amendment from Low Residential (LR) to Medium Residential (MR), 26.246 Acre Tract, Parcel Account Numbers 35699-008-03, 35699-012-09, 35699-012-10, and 36599-012-11, Site Address 4195 SW 95th Street, Ocala, FL 34476

This item was withdrawn by the applicant and not heard.

241006ZP - CTK Interchange, Inc – The DEG Group, Inc and Christine Riley (WITHDRAWN)

Zoning Change from General Agriculture (A-1) to Planned Unit Development (PUD), 26.24 Acre Tract, Parcel Account Numbers 35699-008-03, 35699-012-09, 35699-012-10, and 36599-012-11, Site Address 4195 SW 95th Street, Ocala, FL 34476

This item was withdrawn by the applicant and not heard.

3. Other Business**4. Review Minutes of Previous Meeting**

Michael Kroitor made a motion to approve the minutes from the August 26, 2024 Planning and Zoning Commission meeting. Seconded by Michael Behar. Motion passed unanimously (7-0).

ADJOURNMENT

The meeting adjourned at 8:40 PM

Attest:

Greg Lord, Chairman

Autumn Williams
Staff Assistant