



Marion County Board of County Commissioners

Growth Services ♦ Zoning

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

OFFICE USE ONLY
Received By:
Date Received:

VARIANCE APPLICATION

Application #: FOR COUNTY USE ONLY

45568-000-00
Parcel Account Number of Subject Property

THE UNDERSIGNED REQUESTS A VARIANCE AS REFERENCED IN SECTION 2.9 OF THE MARION COUNTY LAND DEVELOPMENT FOR THE PURPOSE OF:

Asking for a reduction from the 75' lakeside ESOZ setback to 55' to add a pool and deck.

Section of Code requesting variance from: 4.2.9E & 5.2.4.A

Legal Description (Please attach a copy of deed). Total Acreage of subject property: 0.52 +/- acres

Directions to subject property: Turn on South on SE 100 Avenue from C-25 East of Belleview. Turn East on SE 138th Place Road. House is approx. 1/2 mile to 10410 SE 138th Place Road.

Please Note: Property owner must sign this application: Otherwise he/she must attach to this application written authorization naming an agent to act in his/her behalf.

Mealy W. Reed Jr.
Address: 10410 138th Place Rd.
City, State, Zip Code: Summerfield, FL 34491

Edward Abshier
Address: P.O. Box 2770
City, State, Zip Code: Belleview, FL 34421

Contact Info: Phone, cell, e-mail address 352-427-7794 bbjr7@aol.com

Contact Info: Phone, cell, e-mail address 352-266-9555 ed@abshiereng.com

THE FILING FEE IS \$450 NON-REFUNDABLE. WE RECOMMEND THAT THE OWNER, APPLICANT OR AGENT BE PRESENT AT THE HEARING. IF NO REPRESENTATIVE IS PRESENT AND THE BOARD REQUIRES ADDITIONAL INFORMATION, THEY MAY DECIDE TO POSTPONE OR DENY THE REQUEST. NOTICE OF SAID HEARING WILL BE MAILED TO THE ABOVE ADDRESS. ALL INFORMATION GIVEN MUST BE CORRECT AND LEGIBLE TO BE PROCESSED. PLEASE NOTE THAT A WRITTEN PETITION (REFER TO PAGE 2 & 3) MUST BE PROVIDED WITH THIS APPLICATION, ALONG WITH A SITE PLAN IN ORDER TO BE CONSIDERED COMPLETE. FOR FURTHER INFORMATION CONTACT THE MARION COUNTY GROWTH SERVICES.

"Meeting Needs by Exceeding Expectations"

Variance Application

Document Completeness Checklist – 2025

The County will not review a Variance application unless the Applicant provides a signed and complete application, application fee payment, and all other required materials. All required materials and payment must be included with the application at the time of submission. Documents can be submitted on various page sizes, but must be legible on 8.5"x11" Letter paper with no resulting font size less than 12pt.

By signing this application on the first page, you acknowledge that **all** required materials and payments must be submitted in full and in accordance with the specified guidelines. Incomplete or inaccurate submissions may result in rejection and return without further review.

Variance applications are complete and sufficient for Growth Services review when an Applicant provides the following materials and information:

1. A signed and complete application form accompanied by payment of the application fee.
 - a. Note: To confirm the appropriate payment amount, see the fee schedule available on the Marion County Growth Services webpage. Payments may be made by **cash, check, or credit card**¹. **Make checks payable to: Marion County Board of County Commissioners.**
 - b. Note: Ensure the application is signed by the Owner(s) and Applicant/Agent or provide written authorization naming the Applicant/Agent to act on behalf of the Owner(s).
2. A copy of the most recent **recorded deed** conveying the property to the current owner.
 - a. If the property is owned by a Corporation or Trust, also provide a copy of the Corporation or Trust document showing the person signing as "Owner" is a manager/registered agent of the company.
3. A survey with legal description, setbacks, and existing structures signed by a Florida Licensed Professional Surveyor.
4. A proposed Site Plan, at a minimum, including:
 - a. Required setbacks and proposed setbacks
 - b. Location of proposed structures
5. A written petition of all six criteria per LDC Sec. 2.9.2 (see pages 3, 4, & 5 of this application packet)
6. (Optional) Any additional supporting documents, media, or information to support the application. Provide a written or typed itemized list detailing all supplemental attachments.

¹ Payments using a credit card are subject to a surcharge service fee.

WRITTEN PETITION FOR VARIANCE

WRITE YOUR ANSWERS IN THE SPACE PROVIDED AFTER EACH STATEMENT. PLEASE COMPLETE ALL REPLIES USING A SENTENCE FORM. A VARIANCE FROM THE TERMS OF THESE REGULATIONS SHALL NOT BE GRANTED BY THE BOARD OF ADJUSTMENT UNLESS A WRITTEN PETITION FOR A VARIANCE IS SUBMITTED JUSTIFYING THE FOLLOWING:

A. 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.

Applicant's justification:

This home was constructed in 1963. There were no ESOZ requirements at this time. There was no way of knowing that future requirements would not allow for the addition of a pool on the lake side of the home. This type of variance is common on Lake Weir.

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

Applicant's justification:

This home was constructed in 1963. There were no ESOZ requirements at this time. There was no way of knowing that future requirements would not allow for the addition of a pool on the lake side of the home. This type of variance is common on Lake Weir.

C. 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 are under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

Applicant's justification:

As mentioned above, most of the lots on Lake Weir were developed long before there were any ESOZ requirements. Almost all of these lots require a variance for the addition of a pool. This pool will be further from the lake than other homes on Lake Weir.

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

Applicant's justification:

A 24'x32' pool and deck is not a large. The western end of the pool and deck will be about 55' from the mean high water line.

E. 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.

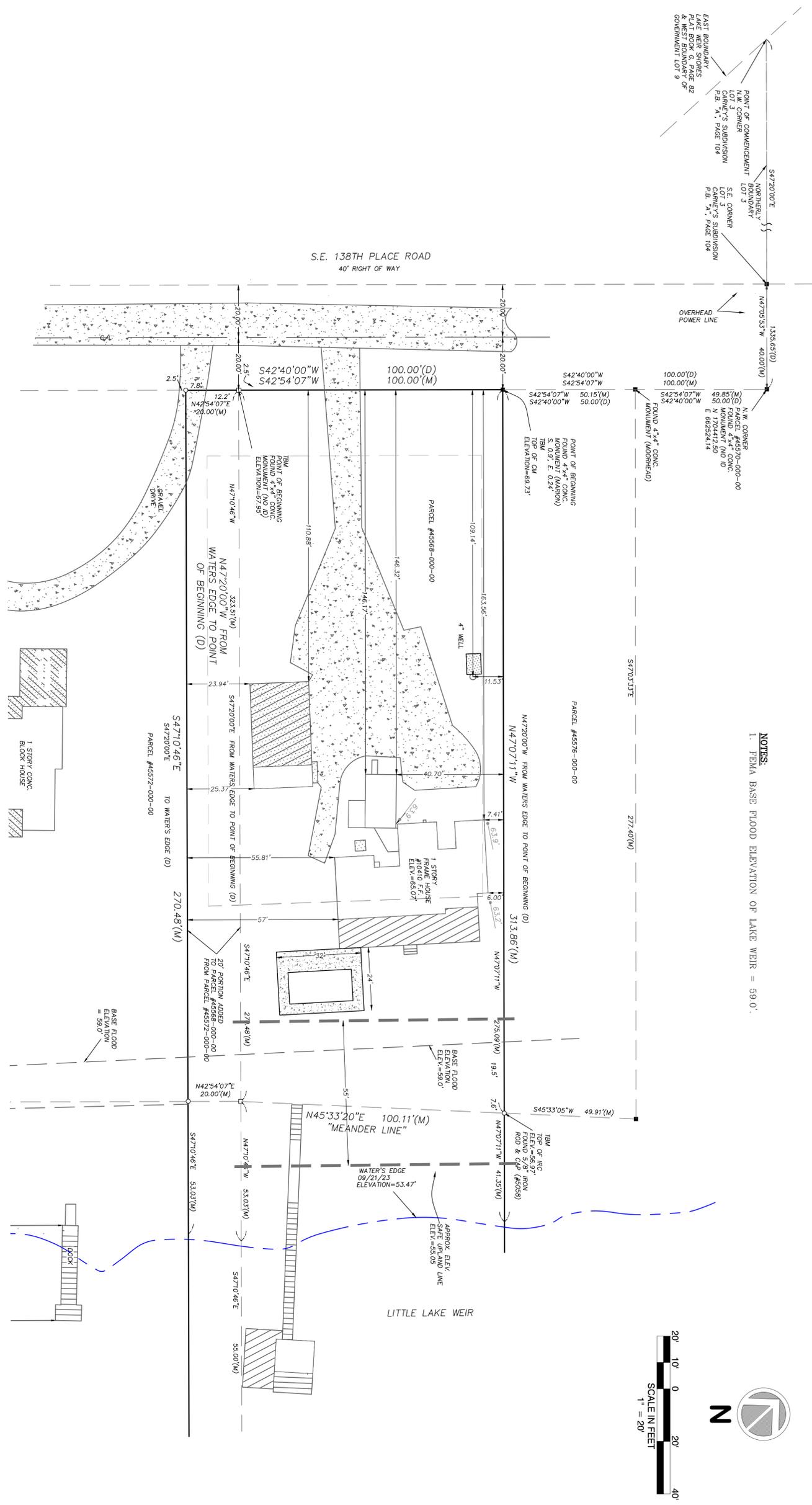
Applicant's justification:

As stated above, because these lots were developed and homes constructed prior to the ESOZ requirements added to the LDC, it is common for the homes to be granted variances for the addition of a pool or deck to the lake side of their home.

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

Applicant's justification:

As stated above, there are homes closer to the lake than this pool will be. Denying this request would not be consistent with other waivers approved on Lake Weir and Little Lake Weir.



NOTES:
1. FEMA BASE FLOOD ELEVATION OF LAKE WEIR = 59.0'.



DESCRIPTION:(provided by client or their agent):

BEGINNING AT A POINT SOUTH 47 DEGREES 20 MINUTES EAST 1335.65 FEET AND SOUTH 42 DEGREES 40 MINUTES WEST 200 FEET FROM THE NORTHWEST CORNER OF LOT 3, CARNEY'S SUBDIVISION, AS RECORDED IN PLAT BOOK "A", AT PAGE 104, PUBLIC RECORDS OF MARION COUNTY, FLORIDA, THENCE SOUTH 42 DEGREES 40 MINUTES WEST 100 FEET, THENCE SOUTH 47 DEGREES 20 MINUTES EAST TO THE WATERS OF LAKE WEIR, THENCE NORTHEASTERLY ALONG WITH THE WATERS OF SAID LAKE TO A POINT THAT IS SOUTH 47 DEGREES 20' MINUTES EAST FROM THE POINT OF BEGINNING, THENCE NORTH 47 DEGREES 20 MINUTES WEST TO THE POINT OF BEGINNING.

AND
BEGINNING AT A POINT SOUTH 47 DEGREES 20 MINUTES EAST 1335.65 FEET AND SOUTH 42 DEGREES 40 MINUTES WEST 200 FEET FROM THE NORTHWEST CORNER OF LOT 3, CARNEY'S SUBDIVISION, AS RECORDED IN PLAT BOOK "A", PAGE 104, OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, THENCE SOUTH 42 DEGREES 40 MINUTES WEST 20.00 FEET, THENCE SOUTH 47 DEGREES 20 MINUTES EAST TO THE WATERS OF LAKE WEIR, THENCE NORTHEASTERLY ALONG EAST FROM THE POINT OF BEGINNING, THENCE NORTH 47 DEGREES 20 MINUTES WEST TO THE POINT OF BEGINNING.



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY EDWARD ABSHIER P.E. ON THE DATE 10/11/25. PRINTED COPIES OF THIS DOCUMENT ARE NOT VALID UNLESS THEY BEARING HIS ORIGINAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

EDWARD ABSHIER, JR., P.E. #53961
DATE: January 15, 2026

ESOZ PLAN
REED RESIDENCE
PARCEL # - 45568-000-00
MARION COUNTY, FLORIDA

ABSHIER ENGINEERING, INC.
5614 SE 111TH STREET, BELLEVUE, FLORIDA
CA# 9930
P.O. BOX 2770 BELLEVUE, FL 34421-2770
PHONE: (352) 245-8592
FAX: (352) 245-8597

DATE	REVISIONS	BY	R.E.A.

THESE DOCUMENTS ARE INSTRUMENTS OF SERVICE. REVISIONS SHALL BE INDICATED BY A NUMBERED CIRCLE. ANY PART OF THESE DOCUMENTS WHICH IS NOT WRITTEN BY OR FOR THE ENGINEER OR ARCHITECT WITHOUT WRITTEN PERMISSION IS VOID.

Prepared by and return to:

Brandie P. Bennett
Brick City Title Insurance Agency, Inc.
521 NE 25th Avenue
Ocala, FL 34470
(352) 622-8732
File No 24-2272

Parcel Identification No 45568-000-00

[Space Above This Line For Recording Data]

WARRANTY DEED

(STATUTORY FORM – SECTION 689.02, F.S.)

This indenture made the 24th day of January, 2025 between Dustin Owens and Cara Owens, husband and wife, whose post office address is 10410 Southeast 138th Place Road, Summerfield, FL 34491, Grantors, to Mealy W. Reed, Jr. a/k/a Mealy William Reed, Jr., and Betty Jo Reed, whose post office address is 10410 Southeast 138th Place Road, Summerfield, FL 34491, Grantees:

Witnesseth, that said Grantors, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantors in hand paid by said Grantees, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantees, and Grantees' heirs and assigns forever, the following described land, situate, lying and being in Marion, Florida, to-wit:

Beginning at a point South 47 degrees 20 minutes East 1335.65 feet and South 42 degrees 40 minutes West 100 feet from the Northwest corner of Lot 3, of Carney's Subdivision, as recorded in Plat Book "A", at Page 104, Public Records of Marion County, Florida, thence South 42 degrees 40 minutes West 100 feet, thence South 47 degrees 20 minutes East to the waters of Lake Weir, thence Northeasterly along and with the waters of said lake to a point that is South 47 degrees 20 minutes East from the Point of Beginning, thence North 47 degrees 20 minutes West to the Point of Beginning. AND

20 foot strip described as follows: Beginning at a point South 47 degrees 20 minutes East 1335.65 feet and South 42 degrees 40 minutes West 200 feet from the Northwest corner of Lot 3, of Carney's Subdivision, as recorded in Plat Book "A", Page 104, of the Public Records of Marion County, Florida; thence South 42 degrees 40 minutes West 20.00 feet; thence South 47 degrees 20 minutes East to the waters of Lake Weir; thence Northeasterly along and with the waters of said Lake to a point that is South 47 degrees 20 minutes East from the Point of Beginning; thence North 47 degrees 20 minutes West to the Point of Beginning.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to taxes for 2025 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantors hereby covenant with the Grantees that the Grantors are lawfully seized of said land in fee simple, that Grantors have good right and lawful authority to sell and convey said land and that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, Grantors have hereunto set Grantors' hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Signature
Brandie P. Bennett
Witness Printed Name

[Signature]
Dustin Owens
[Signature]
Cara Owens

521 NE 25th Avenue
Ocala, FL 34470
Witness Address

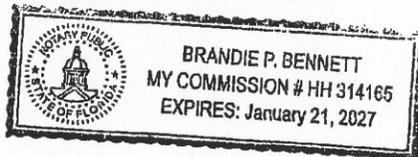
[Signature]
Witness Signature
Casey Desman
Witness Printed Name

2000 SE 29 ST
Ocala FL 34471
Witness Address

STATE OF FLORIDA
COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of physical presence or () online notarization this 24th day of January, 2025, by Dustin Owens and Cara Owens.

[Signature]
Signature of Notary Public
Print, Type/Stamp Name of Notary



Personally Known: _____ OR Produced Identification: _____
Type of Identification Produced: FID