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February 25, 2026

**By Email Only**

Ms. Elizabeth Madeloni  
Development Review Coordinator  
Marion County Growth Services  
2710 East Silver Springs Blvd.  
Ocala FL 34470

RE: Supplement to Comprehensive Plan Amendment PL Sm Scale -000165-2025 to modify BLIVR

Dear Ms. Madeloni:

I represent John Rudnianyn, the authorized agent for the property owner in connection with the above matter.

The purpose of this letter is to supplement the revised Comprehensive Plan Amendment Application submitted by Mr. Rudnianyn. To confirm my authority to submit this letter on his behalf, Mr. Rudnianyn has executed this letter below my signature line.

This letter supplements the Application so that it also includes a request to modify the Binding Letter of Interpretation for Vested Rights ("BLIVR") for Marion Oaks to permit the subject property to be utilized for access to another parcel.

Specifically:

1. Various documents have already been submitted in connection with this Application including an Application to Amend the Future Land Use of the Subject Parcels from Preserve to Commercial (the "Map Amendment Application").
2. Further, we are submitting the following documents along with this Supplement:
  - 2.1. Letter from the State of Florida Department of Community Affairs to Deltona Corporation, dated July 25, 1986, determining that Marion Oaks Unit 7 (as well as other platted units within Marion Oaks) are vested pursuant to Section 380.06(20), Florida Statutes; this letter is referred to as the "BLIVR."
  - 2.2. Copies of selected pages from the Plat of Marion Oaks Unit 7 as recorded in Plat Book 0, page 140, upon which I have marked the locations of the Tracts that are the subject of the Map Amendment Application (being Tracts H and J).
  - 2.3. *Declaration of Restrictions Green Belt* a recorded in OR Book 569, page 351.

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- 2.4. *Amendment to, and Partial Release of Tracts Subject to, Declaration of Restrictions (Green Belt)* recorded in OR Book 7875, page 213 (the “Deltona/SECO Amendment”) executed by The Deltona Corporation, a Delaware corporation, and Sumter Electric Cooperative, Inc., a Florida not for profit corporation .
- 2.5. Proposed *Marion County’s Joinder In, and Partial Release of Tracts Subject to, Declaration of Restrictions (Green Belt)* (the “Proposed Marion County Joinder”).
3. Pursuant to policy 10.1.2. of the Future Land Use Element of the Marion County Comprehensive Plan, the property that is the subject of this Amendment is vested for “continued development of residential and non-residential densities and intensities of use... consistent with the project’s development plan as acknowledged by the [BLIVR]....” Thus, in order to develop the property in a manner not consistent with the BLIVR’s development plan, an amendment to the Future Land Use Map is required.
4. The problem is that the Marion County Comprehensive Plan has no separate map for this BLIVR nor was a development plan attached to the BLIVR. The BLIVR indicated, however, that the vesting was based upon the previously recorded plats and thus the County has, justifiably I believe, referred to the plats referred to in the BLIVR as constituting the development plan.
5. However, the Unit 7 Plat does not restrict the use of Tracts H and J. Thus, I believe that no amendment to the BLIVR is required.
6. However, Marion County has interpreted the development plans to include the Green Belt Declaration even though it is not referred to in the BLIVR or the Unit 7 Plat, and has refused to process the Map Amendment unless the BLIVR is amended by removing Tracts H and J from the Green Belt Declaration.
7. Under the Green Belt Declaration:
  - 7.1. No residential or commercial use of the Tracts subject to the Green Belt Declaration was permitted (except for certain Tracts which could be used for ingress and egress).
  - 7.2. The permitted uses were limited to recreation and utilities, and no uses were permitted that would “destroy the natural character” of the Tracts.
8. Under Section 7.01 of the Green Belt Declaration, the Green Belt Declaration could be amended by vote of a majority of the owners of the Tracts. Such Section also provided, however, that any revision of the restrictions concerning uses would require the approval of the Marion County Commission.
9. As set forth in the Deltona/SECO Amendment, the owners of eight (8) of the Tracts have consented to amending the Green Belt Declaration to release certain Tracts including Tracts H and J. Marion County owns one of the Tracts (“Tract R”) with Deltona. If Marion County joins in the Amendment as to that Tract, by executing the Proposed County Joinder, the majority of the Tracts will have approved the Amendment, and Marion County will have approved the revision in permitted uses.

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10. Because of the voting requirement under the Greenbelt Declaration, it is necessary to release Tracts in addition to those that are the subject of the Map Amendment. Since the County takes the position that the Greenbelt Declaration is what has to be changed, this is the only way to accomplish this. The Proposed County Joinder makes it clear, however, that the Future Land Map PR designation remains as to any Tracts other than the portions of Tracts J and H that are the subject of the Map Amendment.
11. The proposed Map Amendment, together with the related rezoning application (PL ZoneChg-000166-2025) desire to utilize portions of Tracts H and J for access to Tax Parcel 8007-1035-08 (which already has a Commercial land use and B-2 zoning designation) (the "Main Site"). The advantages of the changes include improving access to the Main Site and properties to the north of it by permitting proper utilization of the platted Alley Road to the east of the Main Site and avoiding the use of the platted Alley Road to the south of the Main Site to access Marion Oaks Course to the west of the Main Site.
12. Thus, the same reasons that justify the Map Amendment also justify amending the BLIVR as requested in this letter.
13. Therefore, the Applicant requests that Marion County execute the Marion County Joinder and, in connection with the approval of the Map Amendment, indicate that the development Plan for Tracts H and J do not restrict the use of such Tracts in any manner other than pursuant to applicable laws and regulations including the County's Comprehensive Plan and Land Development Code.

I believe the foregoing action will satisfy the requirements of Rule 10.1.2. and permit the Map Amendment to proceed.

Sincerely,


*/s/ Jimmy Gooding /s/*

W. James Gooding III

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**JOINDER BY AGENT**

I, John S. Rudnianyn, as agent for the property owner, The Deltona Corporation, hereby authorizes the foregoing letter supplementing the Comprehensive Plan Amendment Application previously submitted in this matter.

DocuSigned by:  


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John S. Rudnianyn

2/25/2026 | 6:16 AM PST

WJG/ksh

Attachments

cc: Mr. John Rudnianyn  
Ms. Rachel Perez  
Mr. Kenneth Weyrauch  
Mr. Kenneth Odom  
Mr. Chris Rison  
Ms. Elizabeth Cotos

(All by Email Only w/attachments)

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