



**Marion County  
Board of County Commissioners**

**Growth Services**

2710 E. Silver Springs Blvd.  
Ocala, FL 34470  
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**PLANNING & ZONING SECTION  
STAFF REPORT**

<b>Public Hearing Dates</b>	<b>P&amp;Z: 5/28/2025</b>	<b>BCC: 6/16/2025</b>
<b>Case Number</b>	250602ZC	
<b>CDP-AR</b>	32618	
<b>Type of Case: Rezoning</b>	<b>From:</b> Community Business (B-2) <b>To:</b> Rural Residential (RR-1)	
<b>Owner</b>	Javier Rodriguez and Zuleika Arizmendi	
<b>Applicant</b>	Javier Rodriguez and Zuleika Arizmendi	
<b>Street Address/Site Location</b>	8748 NE Jacksonville Rd., Anthony, Florida, 32617	
<b>Parcel Number(s)</b>	14570-000-00	
<b>Property Size</b>	±1.30 acres	
<b>Future Land Use</b>	Rural Land (RL)	
<b>Existing Zoning Classification</b>	Community Business (B-2)	
<b>Overlays Zones/Special Areas</b>	Inside Urban Growth Boundary (UGB), Primary Springs Protection Zone (PSPZ), Not within Marion County Utilities Service Area	
<b>Staff Recommendation</b>	<b>APPROVAL</b>	
<b>P&amp;Z Recommendation</b>	<b>APPROVAL</b>	
<b>Project Planner</b>	Sarah D. Wells, Planner	
<b>Related Cases</b>		

## I. ITEM SUMMARY

Javier Rodriguez and Zuleika Arizmendi filed a rezoning to change a  $\pm 1.43$ -acre site from Community Business (B-2) to Rural Residential (RR-1). The Parcel Identification Number for the property is 14570-000-00; the subject property is located at 8748 NE Jacksonville Rd., Anthony, Florida, 32617, and the legal description is provided within the application. The site is located inside the Urban Growth Boundary (UGB), and in the County-wide Primary Springs Protection Zone (PS-SPOZ), and within Marion County Utilities Service Area. The application proposes rezoning the subject property for all uses permitted.

**Figure 1**  
**Aerial Map (Fall 2023)**



## II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of the rezoning application. The rezoning will establish a zoning classification which is consistent with Marion County's intent for the future land use of the property and Marion County's Comprehensive Plan.

### III. NOTICE OF PUBLIC HEARING

Consistent with Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (8) within 300 feet of the subject property on May 9, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property the week of May 14, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on May 12, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received.

### IV. ANALYSIS

LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and that it is compatible with land uses in the surrounding area. Staff's analysis of compliance with these three criteria are addressed below.

#### A. *How is the request compatible with surrounding uses?*

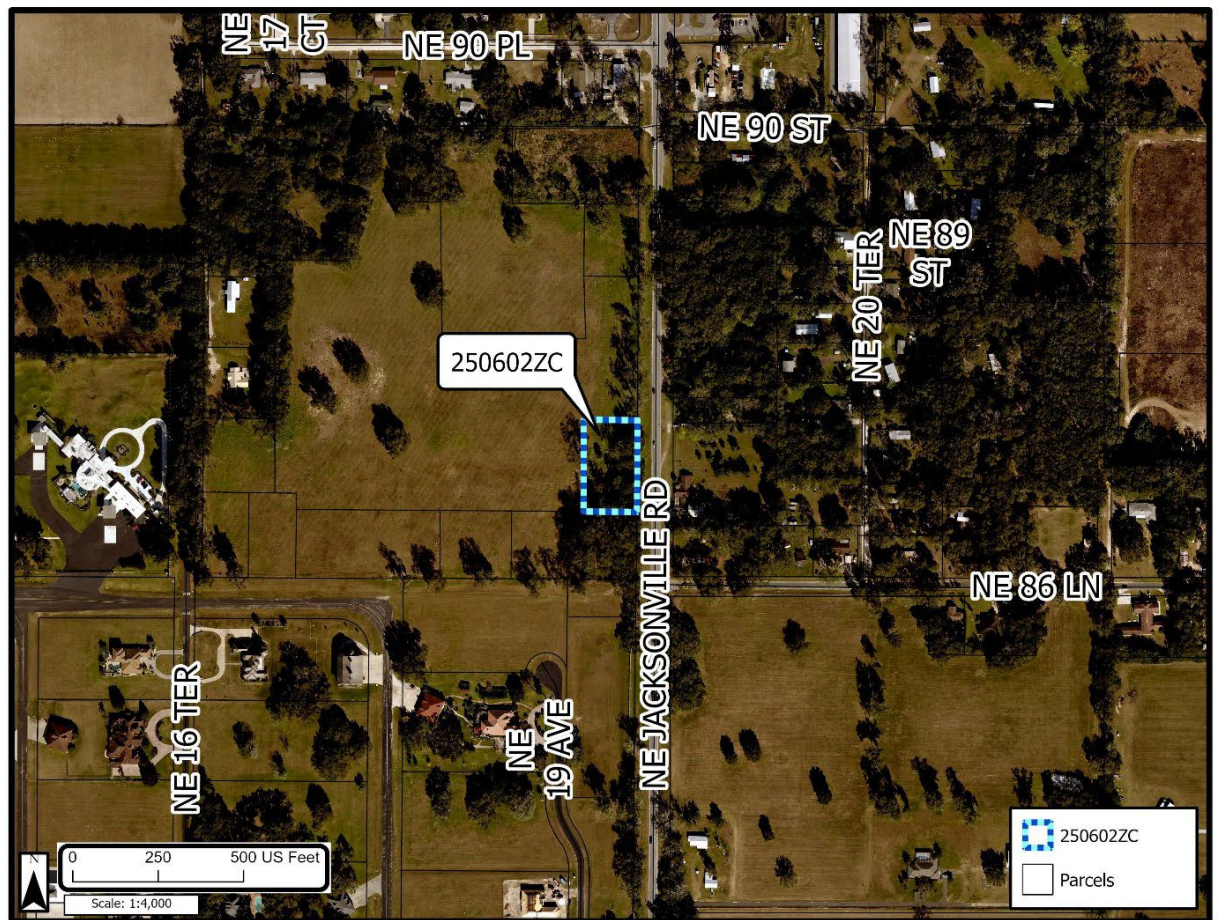
Compatibility is defined as a condition in which land uses, or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Generally, the subject site and surroundings are located inside of the Urban Growth Boundary (UGB) and outside the Farmland Preservation Area (FPA). The site and surroundings are located in the county-wide Primary Springs Protection Zone (PSPZ) and not within a Marion County Utilities Service Area.

Prior Figure 1 is an aerial of the site from Fall 2023, while following Figure 2 is a 2024 Aerial of the site and surroundings.



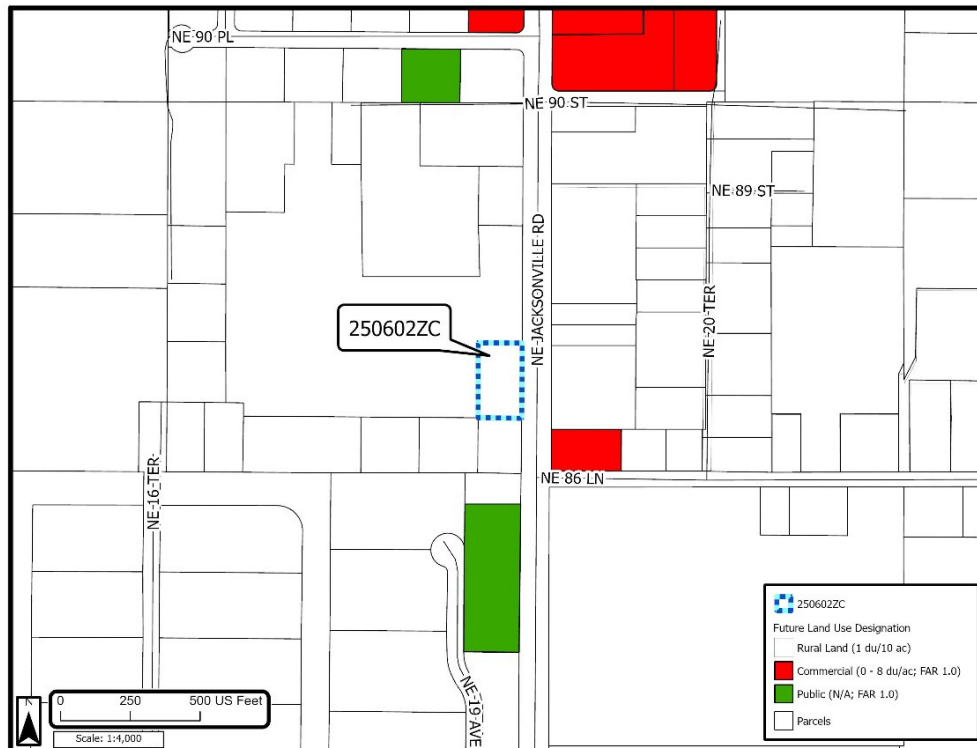
**Figure 2**  
**Aerial Map (Fall 2024)**



The following Figure 3 identifies the site and surroundings' current land use designation. The properties current land use designation is Rural Land, which allows up to one dwelling unit per 10 acres per policy 2.1.16. To the southeast, a parcel is designated Commercial, with a density of eight dwelling unit per one acre per policy 2.1.22.

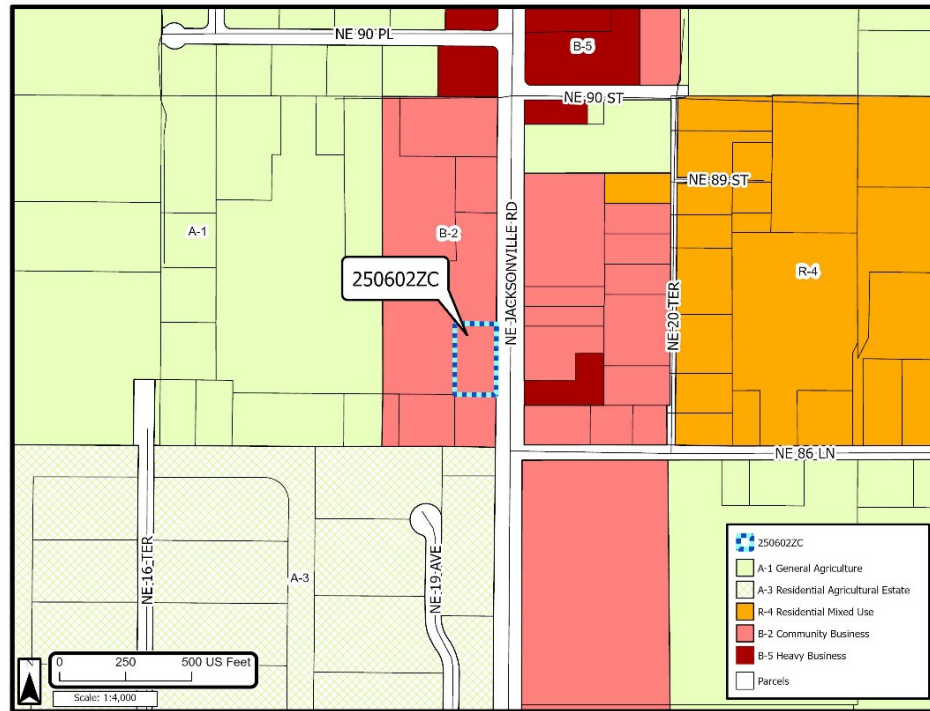


**Figure 3**  
**Current FLUMS Designation**

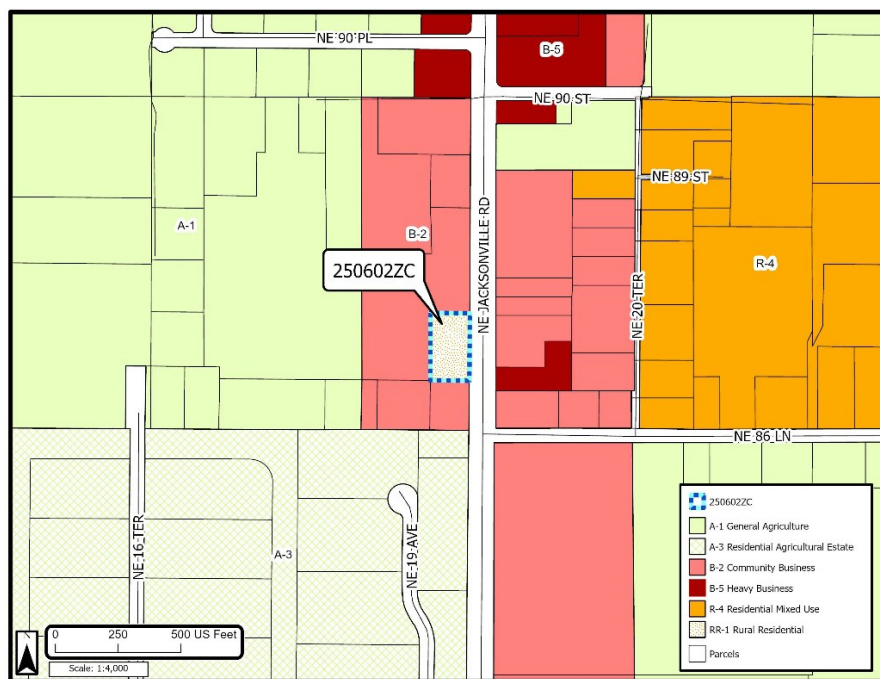


Following Figures 4a and 4b display the current and requested zoning district classifications for the site and surrounding properties. The site's current zoning is Commercial Business (B-2). North, south, east, and west of the site the lands are zoned similarly Commercial Business(B-2). Southeast of the site there is one parcel zoned Heavy Business (B-5).

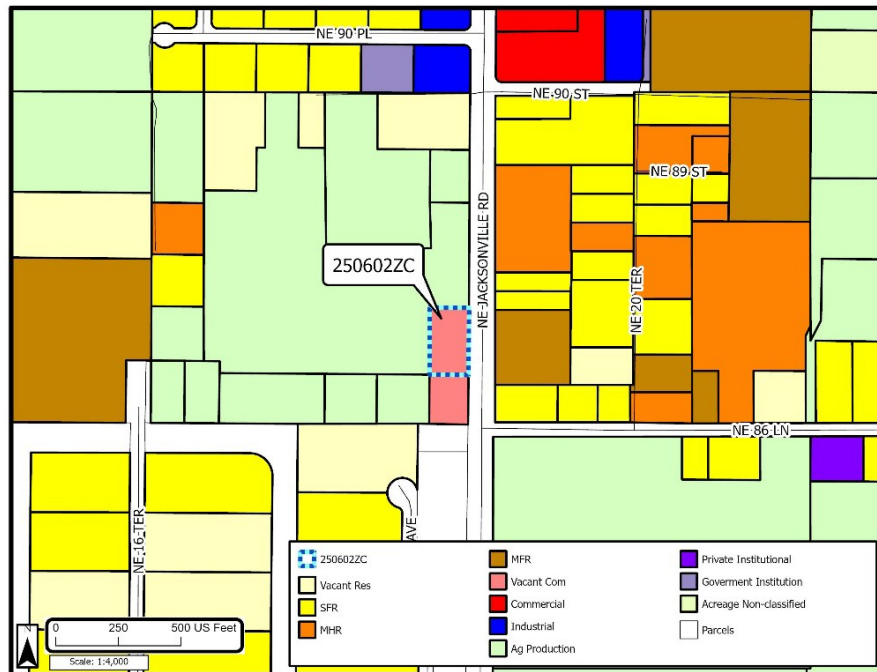
**Figure 4a**  
**Current Zoning Classification**



**Figure 4b**  
**Requested Zoning Classification**  
**(This application Rural Residential (RR-1))**



**Figure 5**  
**Existing Use per Property Appraiser Property Code**



Prior Figure 5 displays the site and surrounding properties' existing uses as identified by the Marion County Property Appraiser Office's Property Code (PC). North and west of the parcel are designated by ag production lots. South of the parcel is designated as a vacant commercial lot. To the east the parcel is multi-family residential. Finally, to the southeast and northeast the properties are single-family residences. The following Figure 6 displays a broader aerial image of the site and surrounding properties with the surrounding subdivisions noted, including the Jumbolair Aviation Estates. Table A displays the information of Figures 3 and 4 in tabular form.



**Figure 6**  
**Aerial Map (Fall 2023) with Surrounding Subdivisions**



TABLE A. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	Existing Use Per MCPA Property Code
<b>Subject Property</b>	Rural Land (RL)	Community Business (B-2)	Vacant Commercial
<b>North</b>	Rural Land (RL)	Community Business (B-2)	Ag Production
<b>South</b>	Rural Land (RL)	Community Business (B-2)	Vacant Commercial
<b>East</b>	Rural Land (RL)	Community Business (B-2), Heavy Business (B-5)	Multi-family residential
<b>West</b>	Rural Land (RL)	Community Business (B-2)	Ag Production

Based on the above findings, the proposed rezoning application is **compatible** with the existing and future surrounding land uses because the proposed rezoning would allow a reduction in density and intensity (alternatively referred to as downzoning) in land use designated as Rural Land and inside the Primary Springs

Protection Zone, which furthers the future land use and the long-term intent for the area.

B. *How does the request affect the public interest?*

1. Transportation impacts. These include roadways, public transit, and other mobility features.
  - a. Roadways.
    - E- NE Jacksonville Rd. – Paved Public 2-lane roadway, classified as arterial, and maintained by Marion County.  
A change from B-2 to RR-1 **will not adversely affect** the public interest.
  - b. Public transit. Fixed-route services (SunTran) are not available near this location. The development of a single-family home on this parcel **will not adversely affect** the public interest.
  - c. Other mobility features. Sidewalks currently do not exist along Pine Road and NE Jacksonville Rd. The development of a single-family home on this parcel **will not adversely affect** the public interest.

Based on the above findings, the rezoning roadway **impacts would not adversely affect the public interest**.

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of 150 gallons per person per day for residential demand and approximately 2,750 gallons per acre per day for nonresidential demand. Based on the residential calculation and the intent for one single-family home on the property, residential use of the site could result in a potential demand of 360 gallons per day.

The property is within Marion County Utilities' Service Area. Based on the above findings, the rezoning's **potable water impacts would not adversely affect the public interest**.

3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand. Based on the residential calculation, the proposed rezoning would result in a potential increase in demand of 264 gallons.

The property is located within Marion County Utilities service. Based on the above findings, the rezoning's **sanitary sewer impacts would not adversely affect the public interest**.

4. Solid waste impacts. Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day for

residential demand. Residential use of the site could result in a potential demand of 14.88 pounds of solid waste per day. Based on the above, the rezoning **solid waste impacts would not adversely affect the public interest.**

5. Recreation. Recreation Element Policy 1.1.1. adopts a level of service standard of two (2) acres per 1,000 persons. Based on the residential calculation, for one single-family residence, the proposed rezoning would result in a potential need of 0.0049 acres or 209 square feet. As a residential use under the RR-1 zoning, a general minimum of open space square feet will be provided through compliance with the site's required setbacks of 25-feet in the front and the back plus an additional 8 feet setback for the sides of all yards. Based on the above, the rezoning **recreation impacts would not adversely affect the public interest.**
6. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site does not include any Flood Zone designation, but it does show Flood Prone Area on the east side of the parcel. Development of the site will be required to comply with a 100-year frequency 24-hour duration design storm as the site development proceeds through Marion County's site development review processes. Based on the above, the rezoning **stormwater/drainage impacts would not adversely affect the public interest.**
7. Fire rescue/emergency services. Fire Station #01 Anthony, located at 3199 Ne 70<sup>th</sup> St., Anthony, FL 32617 O, is ±2.6 miles southeast of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Still, Marion County has established a 5-mile drive distance from the subject property as evidence of the availability of such services. Based on the above, the rezoning fire rescue/emergency impacts would not adversely affect the public interest, and the application is **consistent** with this section.
8. Law enforcement. The Sheriff's Substation North Multi District Office, located at 412 SE 25<sup>th</sup> Ave, Ocala, FL, 34471 is 7.4 miles south of the subject property. The Comprehensive Plan does not establish a level of service standard for law enforcement/sheriff services. Based on the above, the application's **law enforcement impacts would not adversely affect the public interest.**
9. Public schools. The proposed rezoning is within the following listed schools with their 2024-2025 enrollment: Anthony Elementary (76.62%), North Marion Middle (71.33%), and North Marion High (69.64%). Therefore, the application's public-school impacts **would not adversely affect** the public interest.



In summation, staff concludes **the proposed rezoning would not adversely affect the public interest.**

**C.** *How is this request consistent with the Comprehensive Plan?*

1. **FLUE Policy 2.1.16: Rural Land (RL)** - This land use is intended to be used primarily for agricultural uses, associated housing related to farms and agricultural-related commercial and industrial uses. The base density shall be (1) dwelling units per ten (10) gross acres, and the designation is a Rural Area land use.

**Analysis:** The proposed rezoning will take a property with a current zoning which is inconsistent with its future land use and give the property a zoning classification which is consistent with the site's Rural Land future land use designation, as the proposed zoning is rural in nature. Therefore, the proposed rezoning is **consistent** with FLUE Policy 2.1.16.

2. FLUE Policy 5.1.3 on Planning and Zoning Commission provides, "The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

**Analysis:** The proposed zoning change is scheduled for the May 28<sup>th</sup>, 2025, Planning and Zoning Commission and, therefore, the application is **consistent** with this FLUE Policy 5.1.3.

3. FLUE Policy 5.1.4 on Notice of Hearing provides, "The County shall provide notice consistent with Florida Statutes and as further defined in the LDC."

**Analysis:** Public notice has been provided as required by the LDC and Florida Statutes and, therefore, the application is being processed **consistent** with FLUE Policy 5.1.4.

Based on the above findings, the proposed rezoning **is consistent with the Comprehensive Plan.**

## **V. ALTERNATIVE ACTIONS**

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **DENY** the requested rezoning.

- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing and make a recommendation to **APPROVE** the requested rezoning.
- C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation and make a recommendation to **TABLE** the application for up to two months in order for the applicant to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

## VI. STAFF RECOMMENDATION

Staff recommends the Board enter into the record the Staff Report, and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **APPROVE** the proposed rezoning because the application:

- A. **Will not adversely** affect the public interest.
- B. **Is consistent** with the Comprehensive Plan provisions because it is in conformance with:
  - 1. FLUE Policy 2.1.16
- C. **Is compatible** with the surrounding uses.

## VII. PLANNING & ZONING COMMISSION RECOMMENDATION

Approval.

## VIII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

## IX. LIST OF ATTACHMENTS

- A. Rezoning Application, received March 17, 2025
- B. Site Photographs
- C. DRC Comments