



# MARION COUNTY GROWTH SERVICES

Date: 10/4/2021

P&Z: 7/26/2021 BCC: 12/21/2021

Application No:

**210801Z**

[CDP-AR# 26835]

**Type of Application**  
Rezoning

**Rezoning Request:**

**From:** A-1 (General Agriculture) & RAC (Rural Activity Center)

**To:** RAC (Rural Activity Center) and A-1 (General Agriculture)

**Concurrent Comp Plan Amendment App.:**  
2021-L03

**Future Land Use –**

**Current:** Rural Land & Rural Activity Center.

**Requested:** Rural Activity Center and Rural Land.

**Parcel #/Acreage:**

21317-000-01/±18.53 ac.  
of ±540.13 ac.

**Owner:** Martelli Farm, LLC., c/o Dominic Martelli

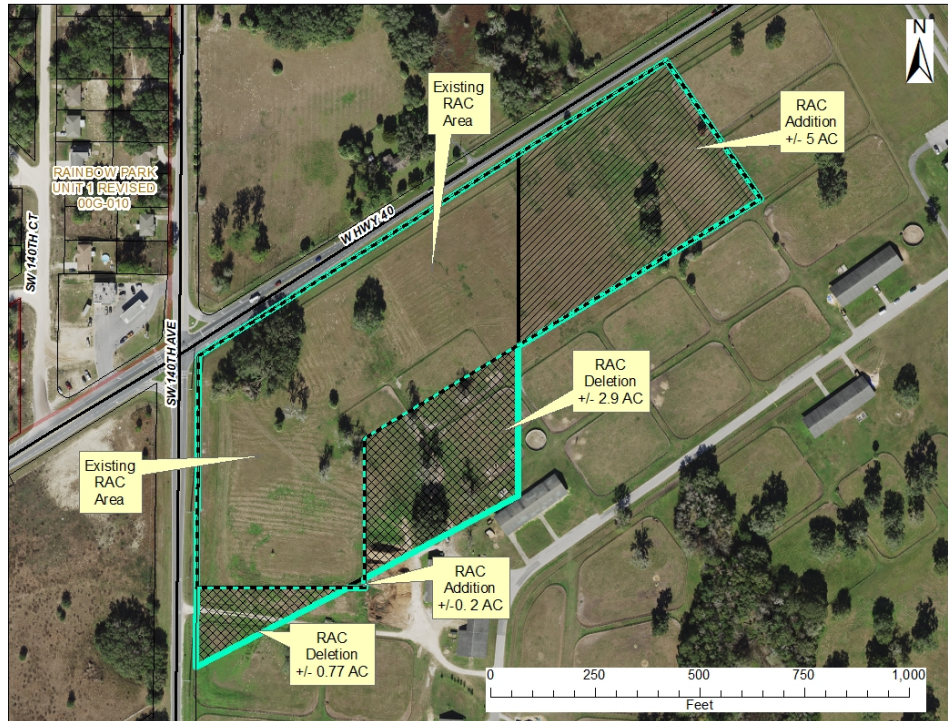
**Applicant:** Rogers Engineering, Inc., Rodney Rogers

**Location:**

Part of Classic Mile Farm at 13750 W. Hwy 40; forms the southeast corner of the W. Hwy 40 and SW 140<sup>th</sup> Avenue intersection.

**Staff Recommendation:**  
APPROVAL

**P&Z Recommendation**  
APPROVAL  
(ON CONSENT)



## Item Summary

Staff is recommending **Approval** for a rezoning for portions of a property from A-1 (General Agriculture) and RAC (Rural Activity Center) to RAC (Rural Activity Center) and A-1 (General Agriculture) to adjust and expand an existing Rural Activity Center on ±18.53 acres of an overall ±540.13 acre property, in accordance with Marion County Land Development Code (LDC), Article 2, Division 7, *Zoning Change* for part of 13750 W. Hwy 40. This request is subject Comprehensive Plan Amendment 21-L03 to change the site's future land use designations; in the event that amendment is not granted, this request will not be consistent with the Comprehensive Plan.

## Public Notice

Notice of public hearing was mailed to thirty-five (35) property owners within 300 feet of the overall subject property.

## Location

The site is part of the Classic Mile Farm and Training Center located at 13750 W. Hwy 40. The site represents the southeast corner of the W. Hwy 40 and SW 140<sup>th</sup> Avenue intersection.

## Request

The subject property is part of the overall Classic Mile Farm & Training Center along the south side of W. Hwy 40 that includes acreage on the southeast corner of the W. Hwy 40 and SW 140<sup>th</sup> Avenue intersection. In 1994, a portion of the overall property was designated Rural Activity Center (RAC) and subsequently rezoned to the corresponding RAC zoning district classification. This is a request to adjust that RAC zoned area to shift its placement more along the W. Hwy 40 frontage and reduce the extent along SW 140<sup>th</sup> Avenue. An overall increase in the size of the RAC will result, but it will be partly offset by a reduction in the area along SW 140<sup>th</sup> Avenue.

**Project Planner**  
Christopher D. Rison,  
AICP, Senior Planner

**Existing Use:**  
Vacant

**Code Enforcement Action:** None.

The zoning to the south and east is A-1, and the request will increase some of the A-1 while converting some of the A-1 to RAC. The property to the west is zoned RAC. The property to the north is zone RAC and A-1, wherein the A-1 corresponds to an area of flood zone. Currently, an existing BP Gas & Convenience Center and Dollar General are located in RAC zoned properties to the west and northwest; while further west is an existing bed & breakfast facility approved via a Special Use Permit in 1993.

The land use designation, zoning, and existing uses for the immediately surrounding properties are provided below:

<b>TABLE 1. ADJACENT PROPERTY CHARACTERISTICS</b>			
<b>Direction</b>	<b>FLUM Designation</b>	<b>Zoning</b>	<b>Existing Use per MCPA Property Code</b>
<b>N</b>	Rural Activity Center & Rural Land	RAC (Rural Activity Center) and A-1 (General Agriculture)	Large farm w/residence
<b>S</b>	Rural Land	A-1 (General Agriculture)	Classic Mile Farm & Training Center (on-site)
<b>E</b>	Rural Land	A-1 (General Agriculture)	Classic Mile Farm & Training Center (on-site)
<b>W</b>	Rural Activity Center	RAC (Rural Activity Center)	Vacant

This rezoning request is will establish a RAC and A-1 zonings for parts of the property to correspond with the concurrent requested future land use designation for the site (21-L03) and establish a single uniform zoning across the resulting RAC designated site.

**Infrastructure**

The site is part of the Classic Mile Farm & Training Complex that currently has access to W. Hwy 40. Development of the property will be required to comply with LDC access management requirements such as driveway spacing, design, and cross access.

<b>TABLE 2. SURROUNDING ROADWAY CONDITIONS</b>						
<b>Road</b>	<b>Class.</b>	<b>Maint.</b>	<b>Existing Conditions</b>			
			<b>Surface</b>	<b>No. Lanes</b>	<b>R/W Width</b>	<b>R/W Deficiency</b>
W. Hwy 40	Arterial	State	Paved	2	±66'	±84'

The parcel is outside the Urban Growth Boundary and in the county-wide Secondary Springs Protection Zone. Marion County Utilities notes County service is not readily available in the vicinity, and requirements for connection will be determined upon the submission of development proposals for the site.

<b>TABLE 3: UTILITY SERVICES</b>	
<i>Utility</i>	<i>Service Area</i>
Water	Marion County SW Regional Utility Service Area
Sewer	Marion County SW Regional Utility Service Area

**Analysis**

In reaching its decision, the Commission must address the following:

- 1. Granting the proposed zoning change will not adversely affect the public interest.** Part of the site is currently zoned RAC and this request will revise and increase the RAC area by ±1.5 acres, resulting in a 15.13 acre RAC. Rezoning the site will establish uniform zoning across the RAC designated holding and eliminate the RAC zoning to restore A-1 zoning for the resulting Rural Land area. The resulting RAC zoning will accommodate a variety of uses to support the surrounding area’s agricultural tracts and historic subdivisions (e.g., Rainbow Park and Rolling Hills) as it continues to develop. Granting the rezoning will not adversely affect the public interest.

2. The proposed zoning change is consistent with the current Comprehensive Plan. The FLU Map 1: Marion County 2035 Future Land Use Map of the Comprehensive Plan designates the site as Rural Activity Center and Rural Land, subject to approval of concurrent Amendment 21-L03. Rezoning the subject property to RAC and A-1 will establish a zoning consistent with the updated future land use designations granted. Development of the site will be subject to compliance with current LDC requirements (e.g., access, potable water, wastewater, stormwater, etc.) and granting the rezoning will be consistent with the Comprehensive Plan.

3. The proposed zoning change is compatible with land uses in the surrounding area. Adjoining properties south and east are commonly owned. Property west is similarly designated and zoned RAC, while property to the north is also similarly zoned RAC with an area of A-1 corresponding to a larger flood zone area. Existing uses consistent with RAC zoning are in place within the surrounding RAC and use of this site will be required to comply with the applicable zoning standards and appropriate provisions of the County's LDC. The proposed RAC and A-1 zoning will be compatible with land uses in the surrounding area.

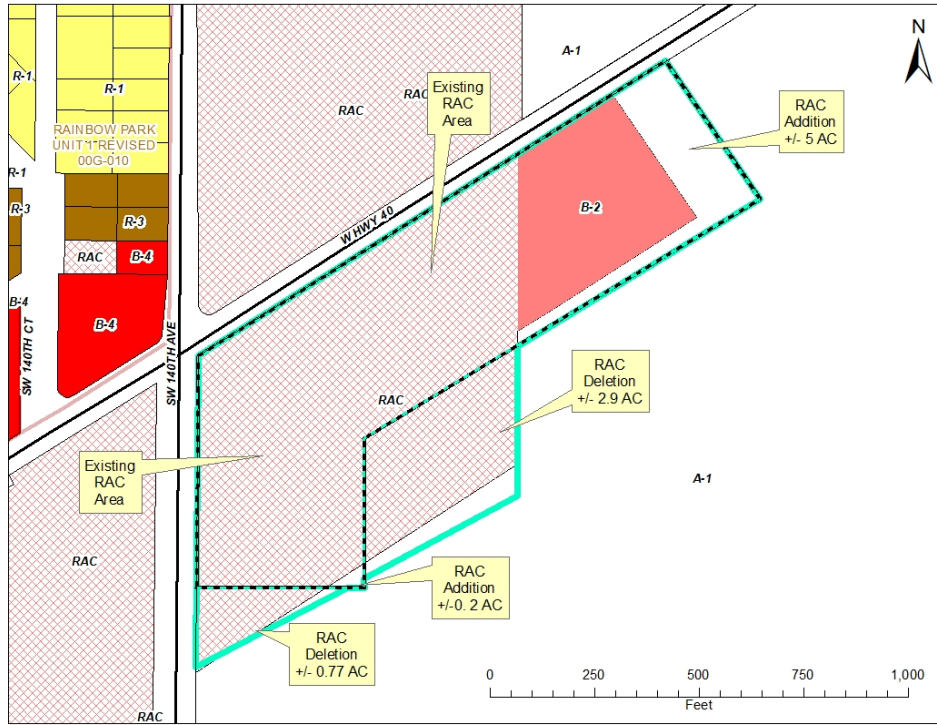
**STAFF RECOMMENDATION: APPROVAL**

**PLANNING & ZONING COMMISSION RECOMMENDATION:  
APPROVAL**

### EXPANDED AERIAL VIEW



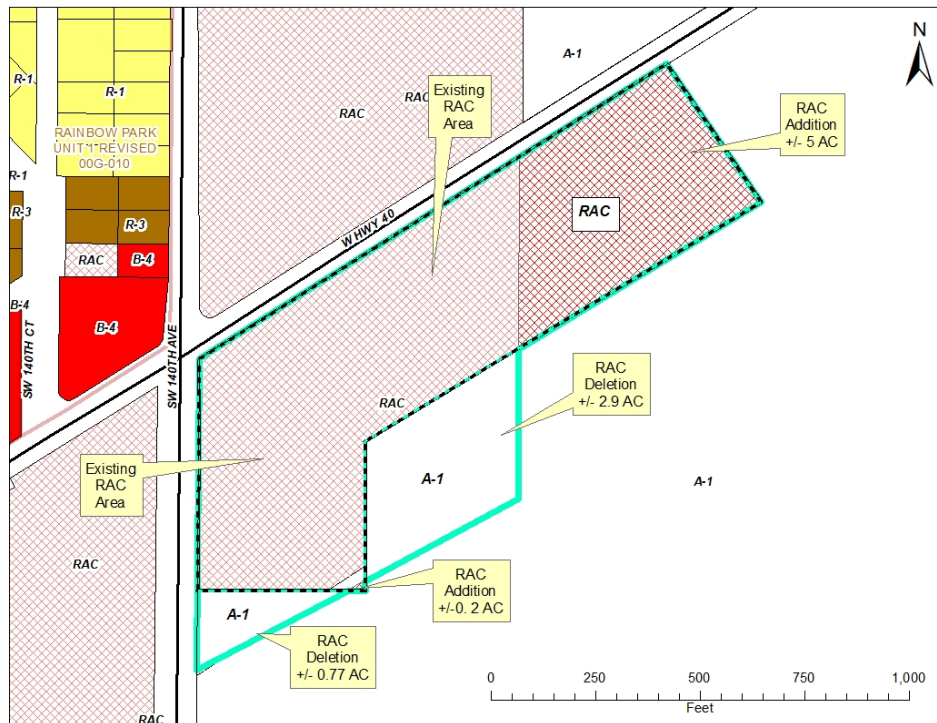
# CURRENT ZONING



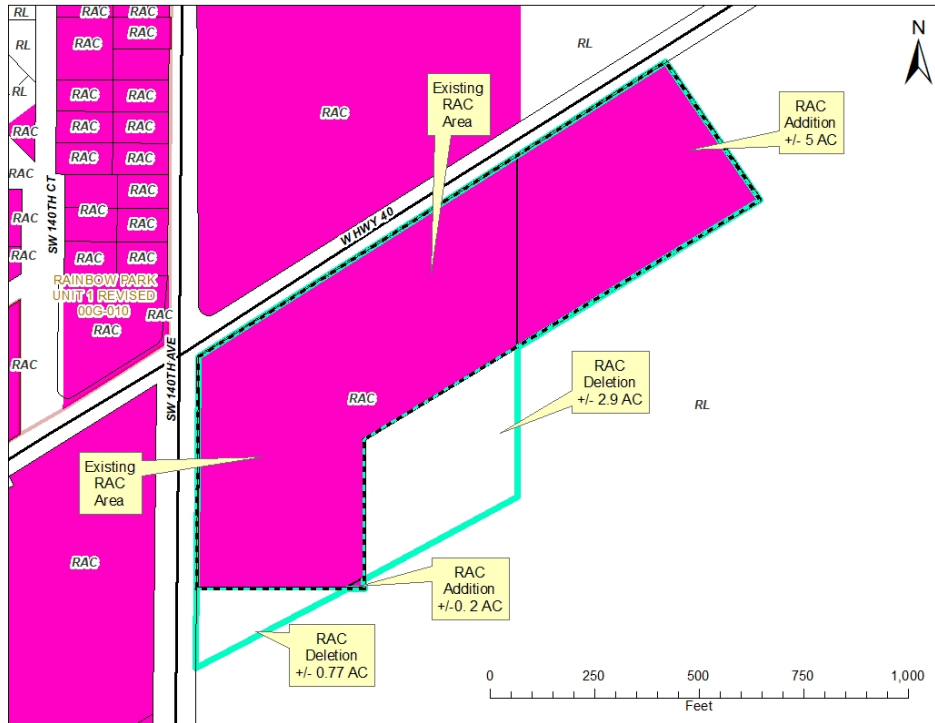
## ZONING DISTRICT

A-1 General Agriculture	R-3 Multiple Family Dwelling	R-O Residential Office	RI Rural Industrial
A-2 Improved Agriculture	R-4 Residential Mixed Use	B-1 Neighborhood Business	M-1 Light Industrial
A-3 Residential Agricultural Estate	MH Manufactured Housing	B-2 Community Business	M-2 Heavy Industrial
RR-1 Rural Residential	P-MH Mobile Home Park	B-3 Specialty Business	I-C Industrial Complex
R-E Residential Estate	P-RV Recreational Vehicle Park	B-4 Regional Business	G-U Government Use
R-1 Single-Family Dwelling	RR Recreational Resort	B-5 Heavy Business	R-PUD Residential Planned Unit Development
R-2 One-and Two-Family Dwelling	RAC Rural Activity Center	RC-1 Rural Commercial	PUD Planned Unit Development

# PROPOSED ZONING

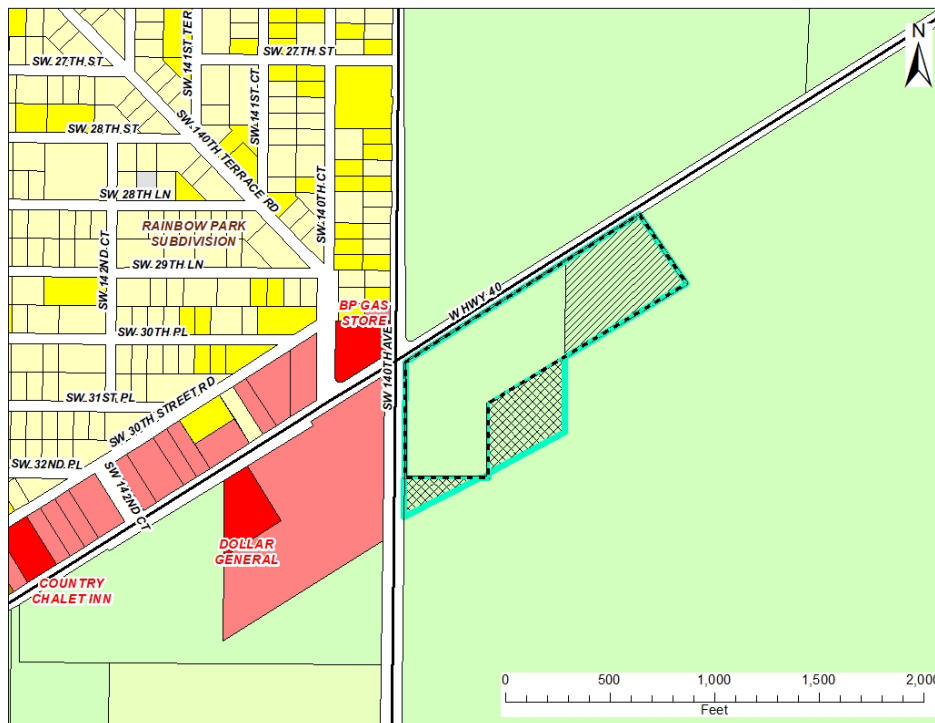


# FUTURE LAND USE DESIGNATION AS PROPOSED BY 2021-L03



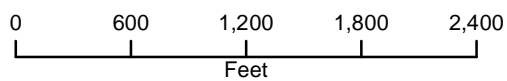
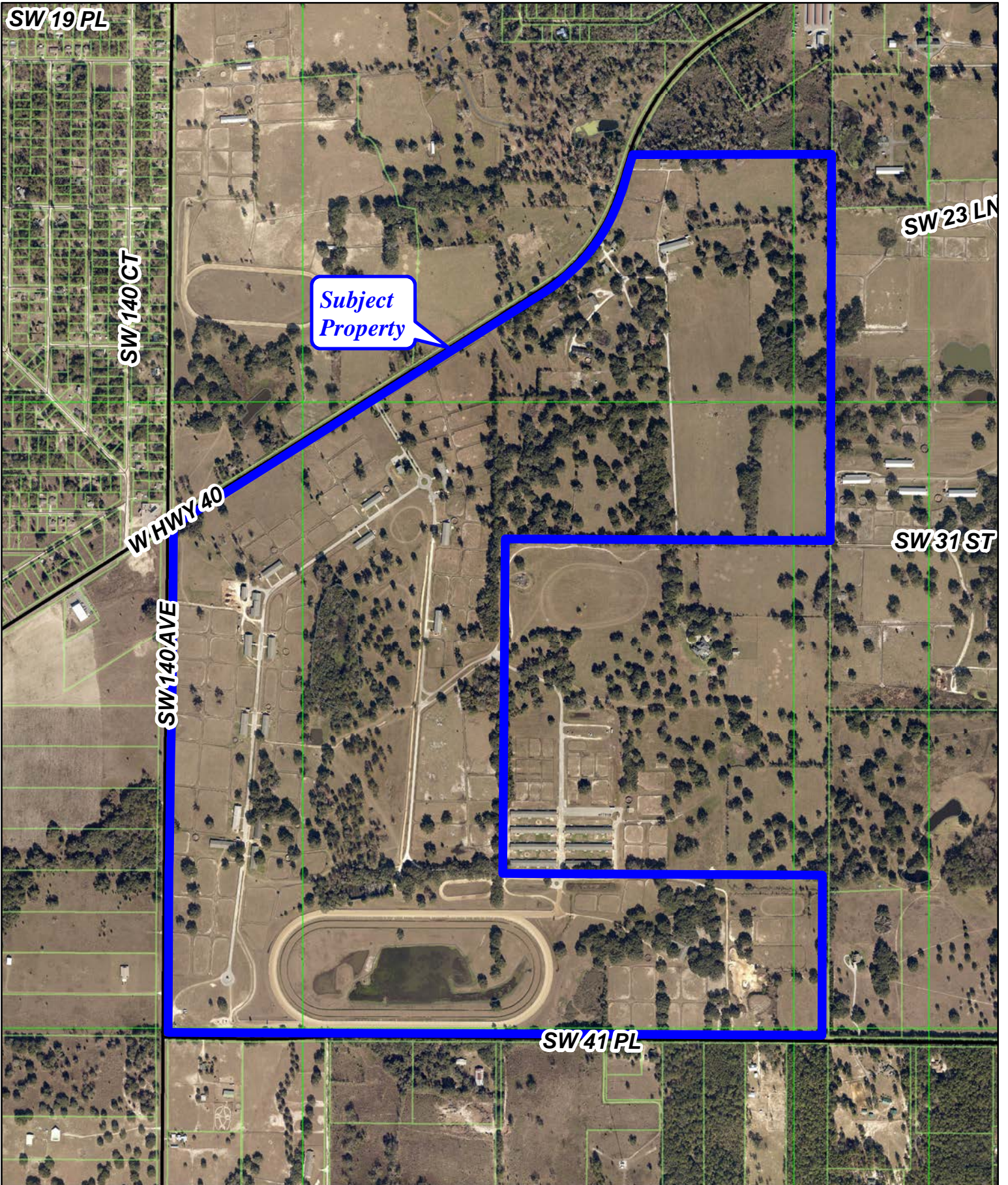
- |                                     |  |  |                              |
|-------------------------------------|--|--|------------------------------|
| RL - Rural Land (1 du/10 ac)        | HR - High Residential (4-8 du/ac)                | COM - Commercial (0-6 du/ac; FAR 1.0)        | P - Public (N/A; FAR 1.0)    |
| LR - Low Residential (0-1 du/ac)    | UR - Urban Residential (8-16 du/ac)              | EC - Employment Center (0-12 du/ac; FAR 2.0) | PR - Preservation (N/A; N/A) |
| MR - Medium Residential (1-4 du/ac) | RAC - Rural Activity Center 0-2 du/ac; FAR 0.35) | CD - Commerce District (N/A; FAR 2.0)        | M - Municipality             |

# EXISTING USES PER MCPA PROPERTY CODE

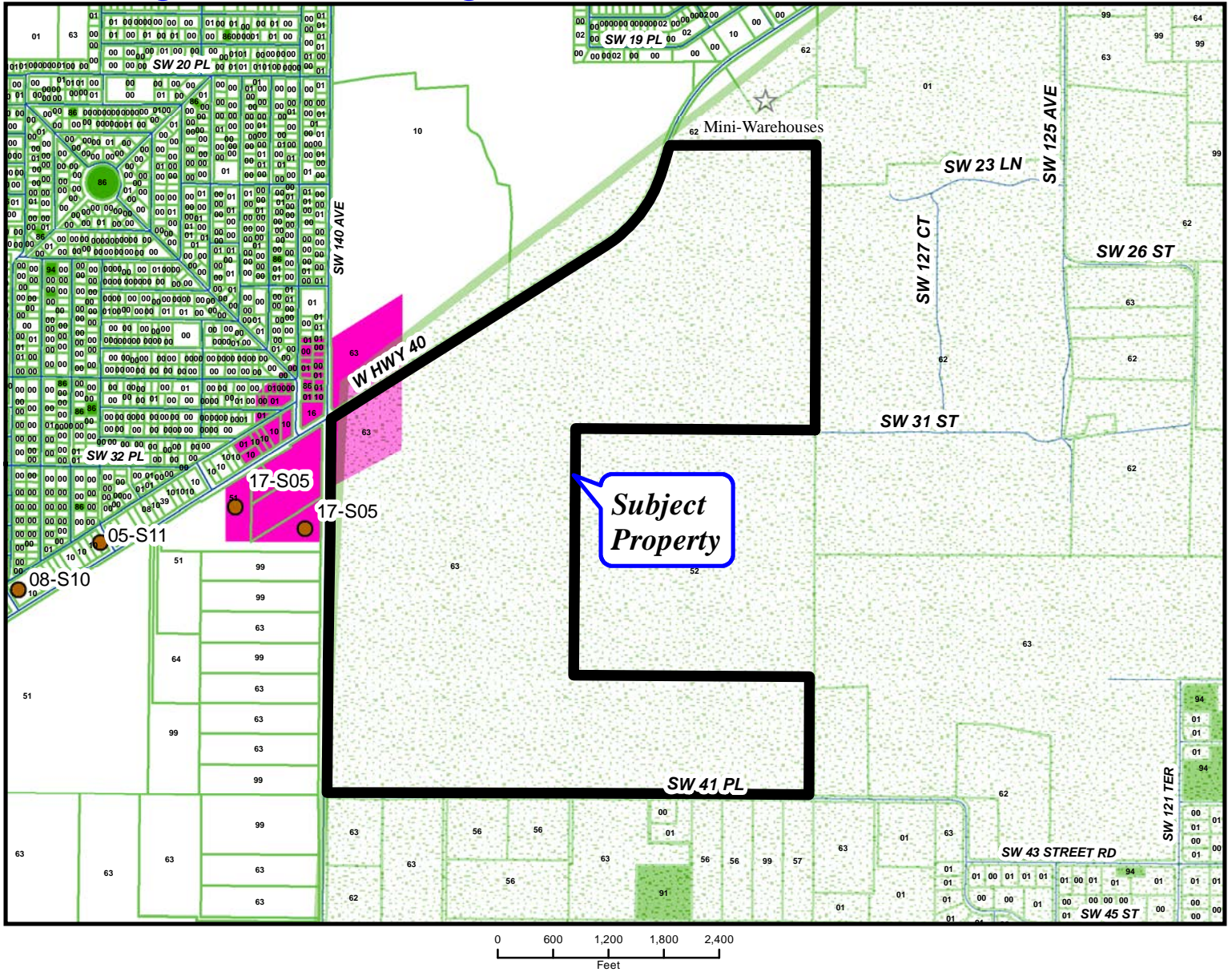




- |            |                    |                   |                      |                        |                        |                        |
|------------|--------------------|-------------------|----------------------|------------------------|------------------------|------------------------|
| Vacant Res | MFR                | Commercial        | RuralBldgSite        | Private Institutional  | Utility                | Water/submerged        |
| SFR        | Group Living Qtrts | Vacant Industrial | Ag Production        | Government Institution | R/W                    | Mining                 |
| MHR        | Vacant Com         | Industrial        | Vacant Institutional | Military               | Recreation/Park/Forest | Sewage/Waste/Barrow    |
|            |                    |                   |                      |                        |                        | Acreage Non-classified |

# Aerial: 21-L03, 210801Z



# Existing Land Use Designation 21-L03, 210801Z



<b>Use per MC Property Appraiser</b>		<b>OWNER(S): Martelli Farm, LLC. c/o Domenic Martelli</b>
01	Single Family Res	
50-69/99	Agricultural	<b>AGENT: Rodney Rogers - Rogers Engineering</b>
00/10/40/70	Vacant	
71	Church	<b>PARCEL(S): 21317-000-01</b>
02	Mobile Home	
06-07/11-39	Commercial	 <p>All provided GIS data is to be considered a generalized spatial representation, which is subject to revisions. The feature boundaries are not to be used to establish legal boundaries. For specific visual information, contact the appropriate county department or agency. The information is provided visual representation only and is not intended to be used as legal or official representation of legal boundaries.</p> 
41-49	Industrial	
83-98	Public	
82	Recreation	
03-05/08	Multi-Family	
77	Club/Lodge/Union Hall	

**Legend**

- All Amendments
- ☆ Policy 1.20

Rural Land (1 du/10 ac)	Urban Residential (8 - 16 du/ac)	Employment Center (0 - 12 du/ac; FAR 2.0)
Low Residential (0 - 1 du/ac)	Rural Activity Center (0 - 2 du/ac; FAR 0.35)	Commerce District (N/A; FAR 2.0)
Medium Residential (1 - 4 du/ac)	Rural Community (0 - 3 du/ac; FAR 0.70)	Public (N/A; FAR 1.0)
High Residential (4 - 8 du/ac)	Commercial (0 - 6 du/ac; FAR 1.0)	Preservation (N/A; N/A)
Farmland Preservation Area	Environmentally Sensitive Overlay Zone (ESOZ)	Municipality



Marion County Board of County Commissioners

Growth Management ♦ Zoning

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

# 2108013

AR # 26835

PA # 21317-000-01 (w/21-L03)

APPLICATION FOR ZONING CHANGE

Application No.: # 2108013

The undersigned hereby requests a zoning change of the Marion County Land Development Code, Article 4, Zoning, on the below described property and area, from B2 and A1

to RAC, for the intended use of:

Reconfiguration of existing RAC

Legal description: (please attach a copy of the deed and location map)

Parcel account number(s): 21317-000-01

Property dimensions: 400 x 1862

Total acreage: 15.13 "Portion of" 540.13 ac.

Directions: Highway 40, west approximately 16.4 miles to SW 140th Avenue. Property is at S.E. corner of intersection.

The property owner must sign this application unless he has attached written authorization naming an agent to act on his/her behalf.

c/o Martelli Farm, LLC

Domenic Martelli

Rodney Rogers

Property owner name (please print)

Applicant or agent name (please print)

13750 W Hwy 40

1105 S.E. 3rd Avenue

Mailing address

Mailing address

Ocala, FL 34481

Ocala, FL 34471

City, state, zip code

City, state, zip code

352-427-7117

352-622-9214

Phone number (please include area code)

Phone number (please include area code)

Email Address: rrogers@rogerseng.com

Signature of Domenic Martelli

Signature of Rodney Rogers

Please note: the zoning change will not become effective until 14 days after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is \$1,000.00, and is non-refundable. For more information, please contact the Zoning Division at 352-438-2675.

FOR OFFICE USE ONLY

RECEIVED BY: KO DATE: 5/12/21 ZONING MAP NO.: N/A LAND USE: RBC, RL ZONING: RBC, B-2, B-1 SEC/TWP/RGE: 30 / 15 / 20

Proj. #: 2017040049

Rev. 07/02/2019

"Meeting Needs by Exceeding Expectations"

AR #: 26835