



Marion County Board of County Commissioners

Date: 4/30/2021

P&Z: 4/26/2021 BCC: 5/18/2021

Item Number
210511Z

Type of Application
Rezoning

Request

From:B-2, Community Business

To: A-1, General
Agriculture

**Concurrent Land Use
Amendment:**
None

Owner/Applicant
Pamela DeBoer, Et
AL/Nathan Garcia

Parcel #/Acreage
03007-000-00/ ±171.68

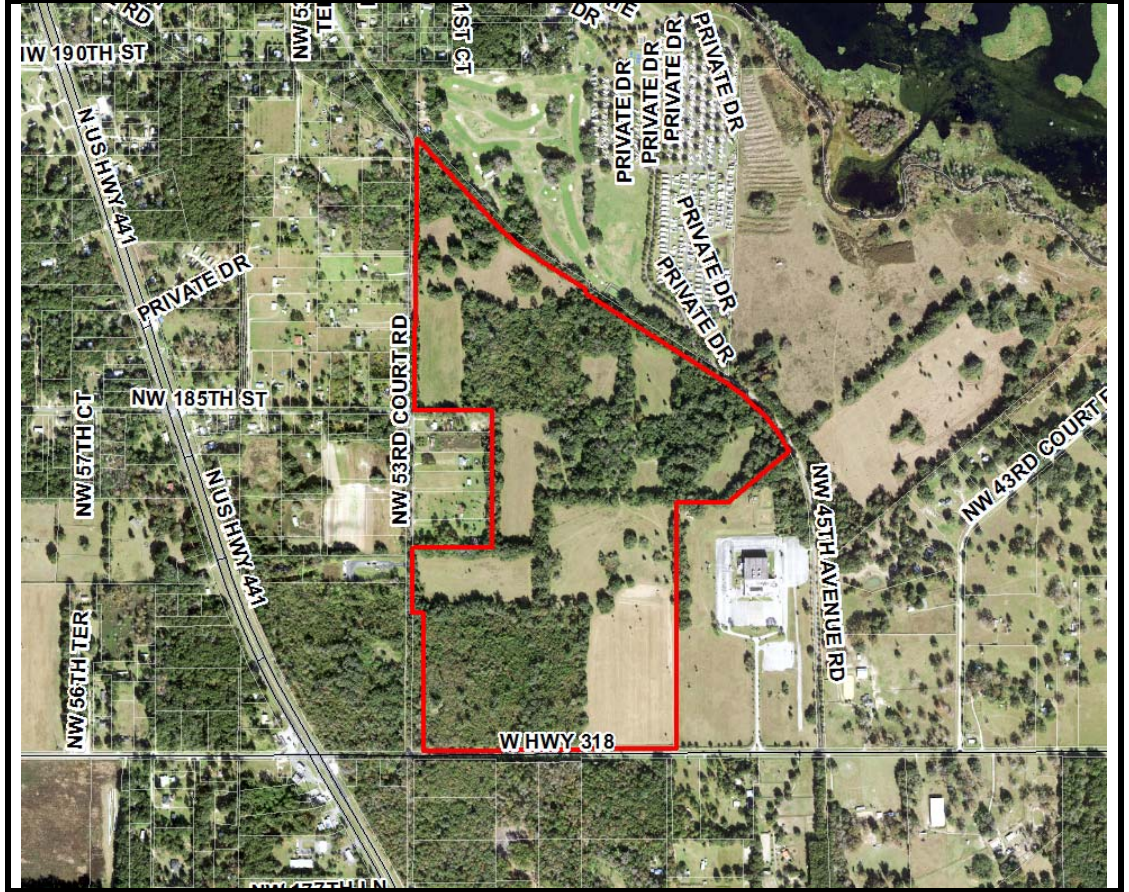
Future Land Use

Existing Zoning
B-2, Community
Business (Approx. 50
acres) and A-1, General
Agriculture (Approx. 121
acres)

Staff Recommendation
Approval

P&Z Recommendation:
Approval
(ON CONSENT)

Project Planner
Kenneth Weyrauch,
Sr. Planner



Item Summary

Staff is recommending **Approval** of a rezoning request from B-2, Community Business to A-1, General Agriculture. The request was made in accordance with LDC Sec. 2.7.1, Zoning Change. Staff is recommending Approval of the rezoning because the requested zoning is consistent with the Land Use and consistent with the long-term plan for this area.

Public Notice

Notice of public hearing was mailed to 37 property owners within 300 feet of the subject properties. No oral or written comments in opposition have been received at the time of this report's writing.

Background

Location

The subject properties are located on W HWY 318 and NW 45th Avenue Rd.

Analysis

The applicant is requesting a rezoning from B-2, Community Business, to A-1, General Agriculture on approximately 50-acres of a 171.68-acre property. This rezoning would bring the entire property to a consistent A-1, General Agriculture zoning. The applicant is making this request so that the property is consistent with the land use designation of Rural Land. This allows the entire property to function as intended with the land use.

In reaching its decision, the Board of County Commissioners shall find that the following exist:

1. **Granting the proposed Rezoning will not adversely affect the public interest.** The proposed rezoning is consistent with the surrounding area and will not adversely affect the public interest.
2. **The proposed Rezoning is consistent with the current Comprehensive Plan.** The FLU Map 1: Marion County 2035 Future Land Use Map of the Comprehensive Plan designates this property as Rural Land. The subject property's request for A-1, General Agriculture, is consistent with the land use and consistent with the Marion County Comprehensive Plan.
3. **The proposed Rezoning is compatible with land uses in the surrounding area.** The area surrounding the subject properties is mostly undeveloped rural and agricultural properties on Rural Land. Allowing the subject property to re-zone to agriculture is consistent with the surrounding area and the long-term plan for the area.

The following table summarizes adjacent future land use designation, zoning districts, and existing uses:

ADJACENT PROPERTY CHARACTERISTICS			
Direction	Future Land Use Designation	Zoning	Existing Use per MCPA Property Code
North	Commercial	R-4, Residential Mixed Use P-RV, RV Park PUD, Planned Unit Development	Campgrounds Cropland
South	Rural	B-2, Community Business A-1, General Agriculture	Vacant Acreage

East	Rural	B-4, Regional Business A-1, General Agriculture	Enclosed Theater or Stadium
West	Rural Regional Activity Center	A-1, General Agriculture RAC, Regional Activity Center	SFR Cropland Timberland

Infrastructure

Access is from W HWY 318

Road	Classification	Maintenance	Existing Conditions			
			Surface	No. Lanes	R/W Min. Width	R/W Deficiency
W HWY 318	Collector	County	Paved	2	70'	50'

Water/Sewer services are provided by the applicant by way of an agreement with Marion County Utilities.

Utility	Service Area
Water	Marion County Utilities
Sewer	Marion County Utilities

Surrounding Area Property Codes

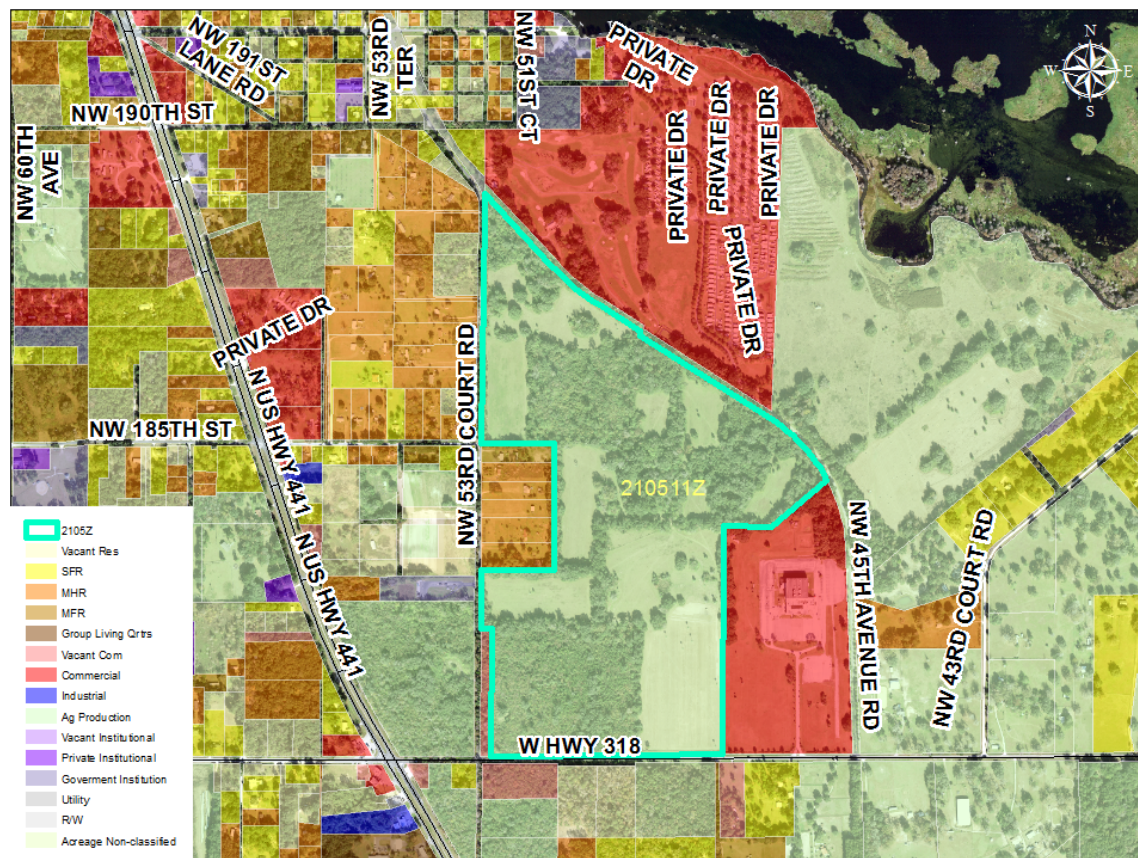


Figure 1: Marion County Property Appraiser Parcel Codes

Current Zoning

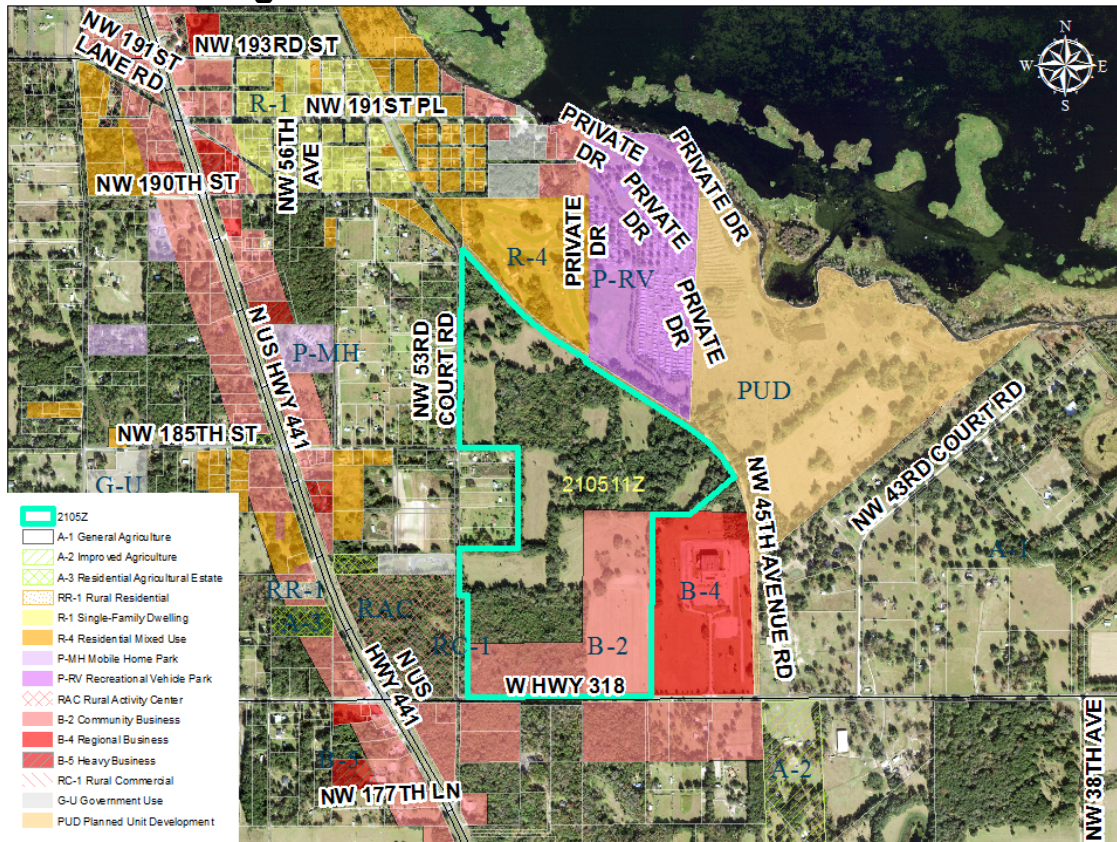


Figure 2: Marion County Zoning Map

Proposed Zoning

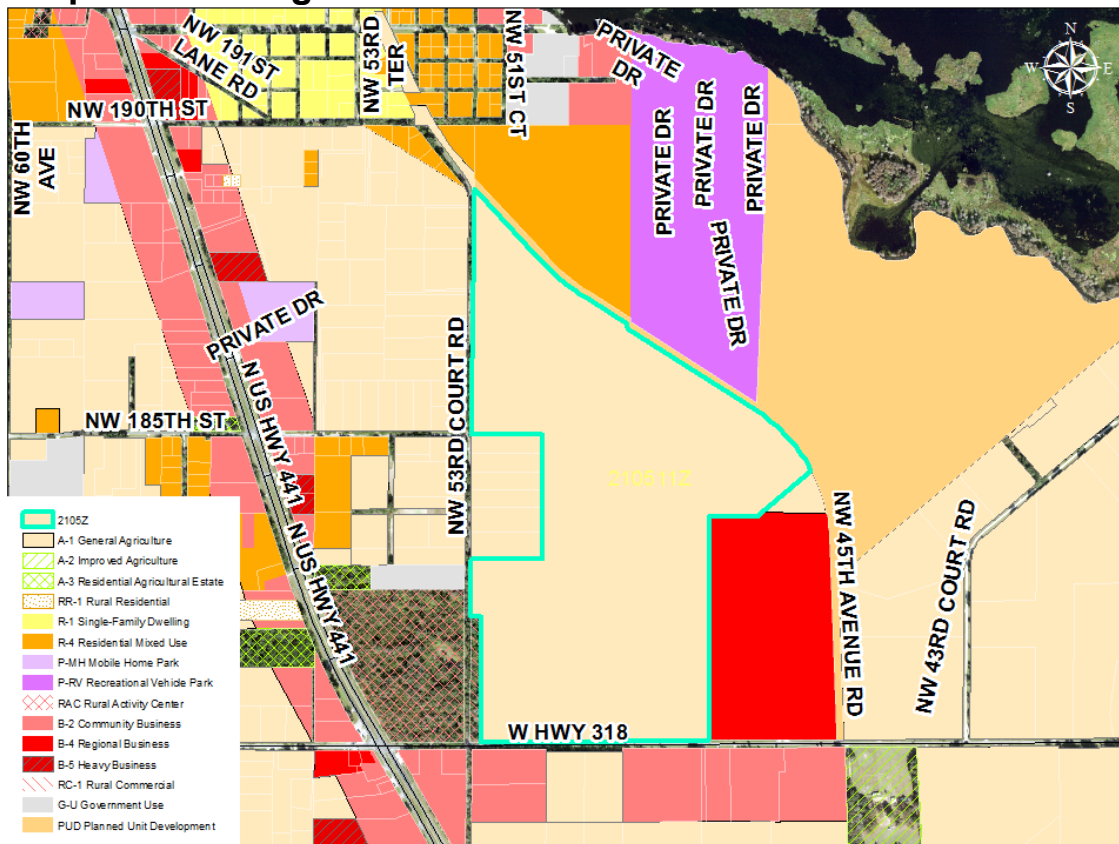


Figure 3: Proposed Zoning for subject property

Future Land Use

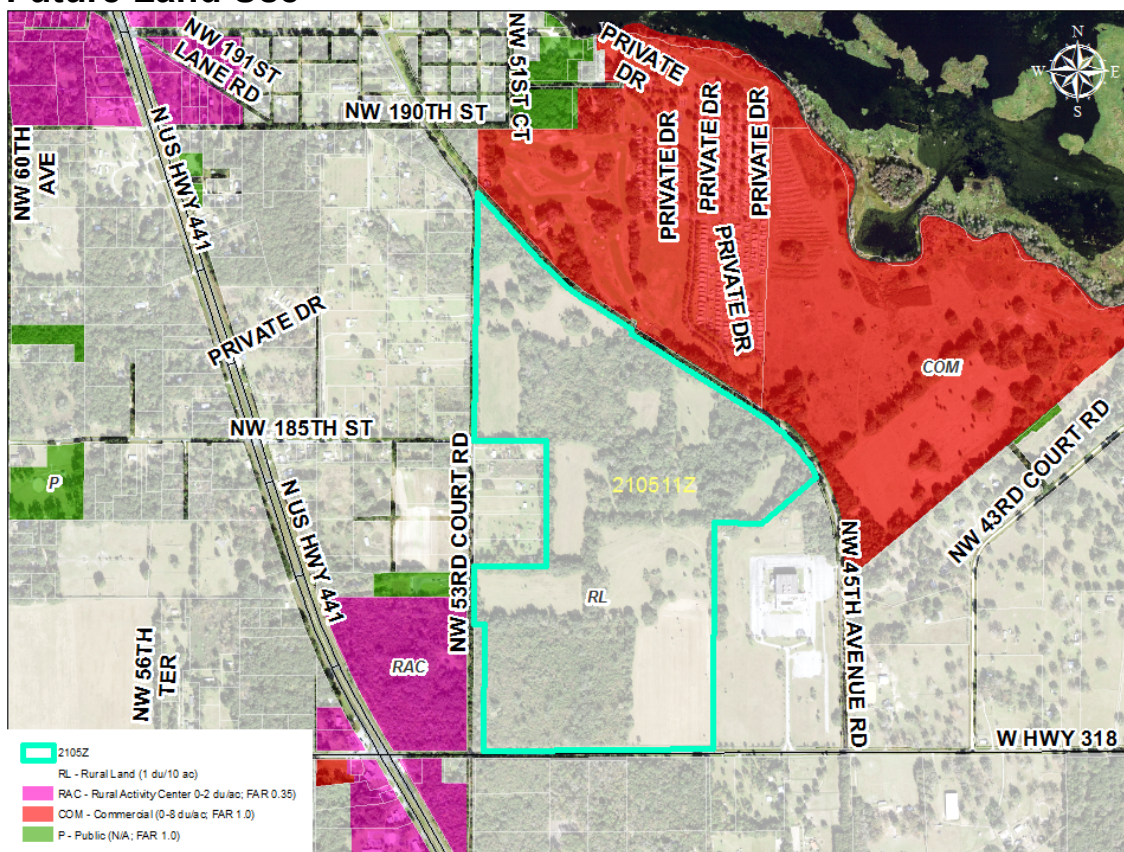


Figure 4: Existing Land Use of subject property and surrounding area.

Staff Recommendation: Approval

Pictures of the area below.

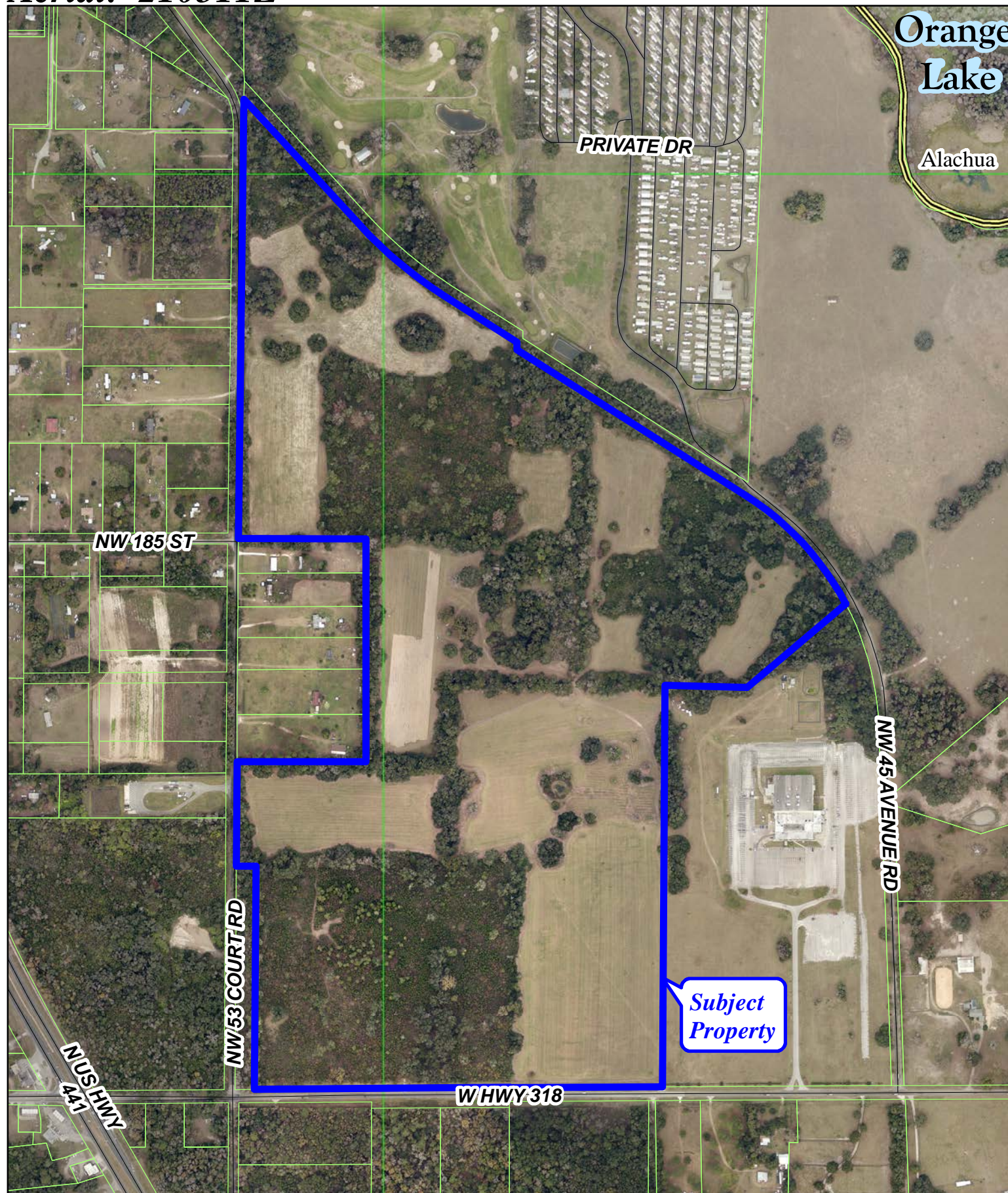




Showing the RV park in the center of the subject properties.



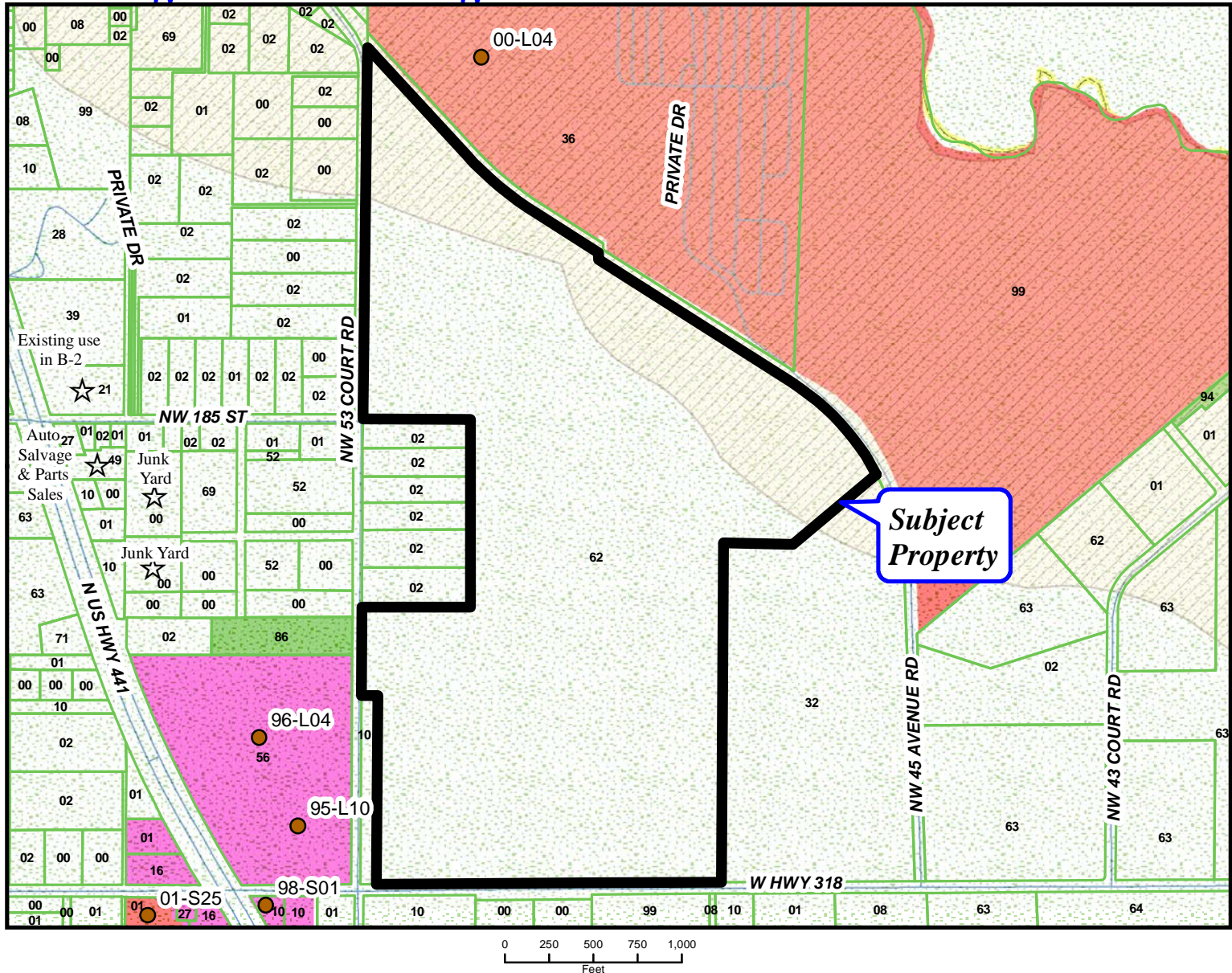
Aerial: 210511Z





0 330 660 990 1,320
Feet



Existing Land Use Designation 210511Z



Use per MC Property Appraiser		OWNER(S): Pamela DeBoer, Jill Langford, ET AL, Jason, Justin and Jene Deboer	
01	Single Family Res	AGENT: Nathan R. Garcia - c/o MG Land Management, LLC	
50-69/99	Agricultural	PARCEL(S): 03007-000-00	
00/10/40/70	Vacant	<div>  <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> </div>	
71	Church		
02	Mobile Home		
06-07/11-39	Commercial		
41-49	Industrial		
83-98	Public		
82	Recreation		
03-05/08	Multi-Family	<div>  </div>	
77	Club/Lodge/Union Hall		

Legend

- All Amendments
- ☆ Policy 1.20
- Rural Land (1 du/10 ac)
- Low Residential (0 - 1 du/ac)
- Medium Residential (1 - 4 du/ac)
- High Residential (4 - 8 du/ac)
- Farmland Preservation Area
- Urban Residential (8 - 16 du/ac)
- Rural Activity Center (0 - 2 du/ac; FAR 0.35)
- Rural Community (0 - 3 du/ac; FAR 0.70)
- Commercial (0 - 6 du/ac; FAR 1.0)
- Environmentally Sensitive Overlay Zone (ESOZ)
- Employment Center (0 - 12 du/ac; FAR 2.0)
- Commerce District (N/A; FAR 2.0)
- Public (N/A; FAR 1.0)
- Preservation (N/A; N/A)
- Municipality



Marion County
Board of County Commissioners

Growth Services ■ Planning & Zoning

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

2105113
AR#: 26349
PA#: 03007-000-00

APPLICATION FOR REZONING

Application No.: #2105113

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 B-2 Community Business (PA states A-1, B-2 and PVD) to General Agriculture (A-1), for the intended use of:

Agriculture per Marion County LDC

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

Parcel account number(s): 03007-000-00

Property dimensions: _____ Total acreage: 171.68± acres ✓

Directions: North on Hwy 441 to Hwy 318. East on Hwy 318 to property on Left (property entrance is just before the Jai-Alai fronton).

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

Pamela DeBoer, et al, Jason
Justin
Jene
DeBoer
Property owner name (please print)
45594 W. Keller Drive

Mailing address
45594 W. Keller Drive

City, state, zip code
Maricopa, AZ 85139-6763

Phone number (please include area code)

See Attached owner Auth's.

Signature

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.

Nathan R. Garcia 9/0 MG Land Management, LLC
Applicant or agent name (please print)
1553 E. Fort King Street

Mailing address
Ocala, FL 34471

City, state, zip code
(352) 401-3755

Phone number (please include area code)

[Signature]
Signature

FOR OFFICE USE ONLY

RECEIVED BY: DM DATE: 3/3/2021 ZONING MAP NO.: 138

Rev. 01/11/2021

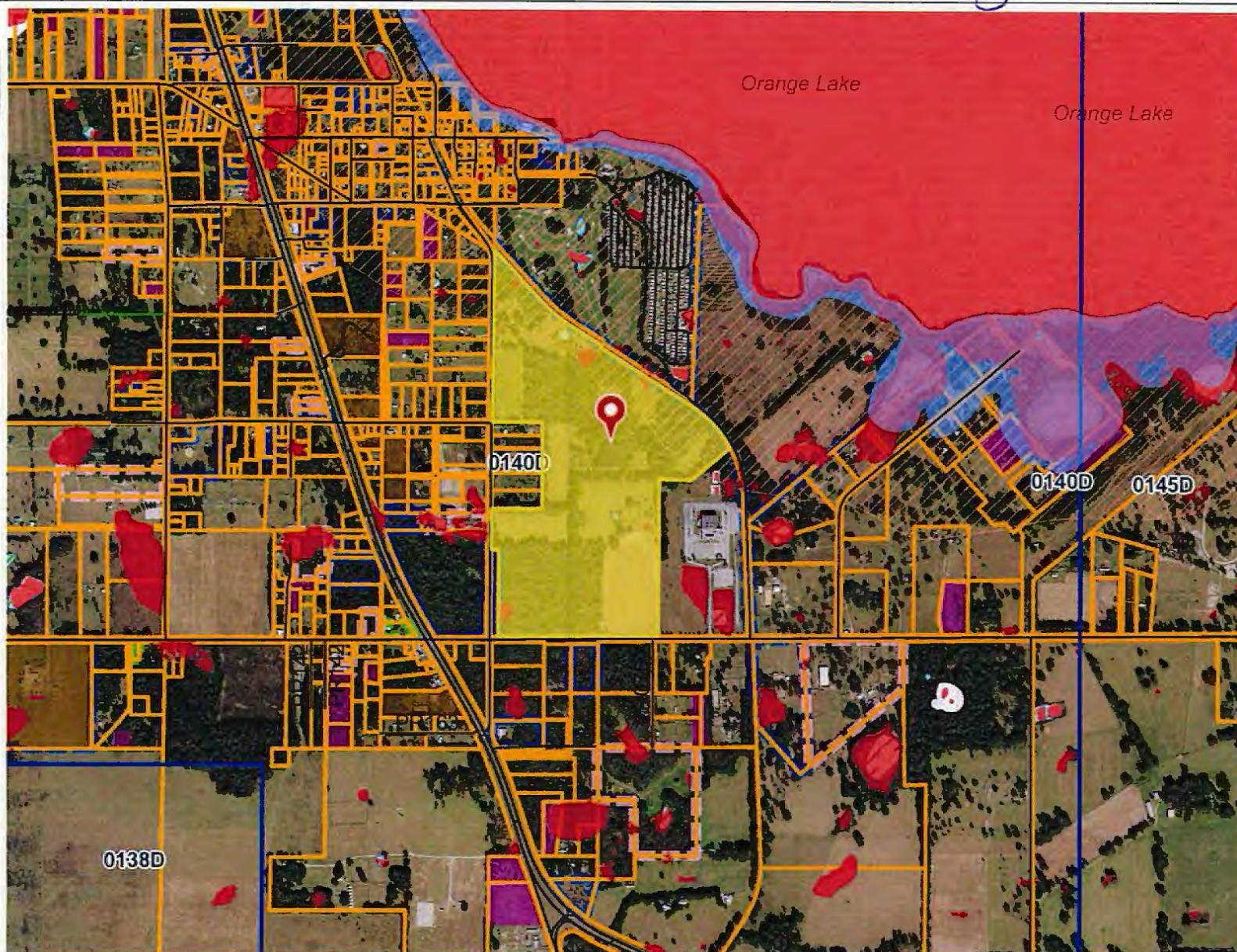
PRJ - 2021 01 0124
AR 26349

Empowering Marion for Success

www.marioncountyfl.org



#2105113



Legend

- Urban Growth Boundary
- Prescriptive_Roads
- Judgement_Roads
- Streets
- Special Flood Hazard Areas - Chance Flood**
 - A - No Base Flood Elevation Determ
 - AE - Base Flood Elevation Determi
 - AH - Area of Ponding 1-3 ft
- Other Areas**
 - X - 0.2% Annual Chance Flood
 - X - 1% Annual Chance Flood Less
 - X - Areas Outside 0.2% Annual Ch
- 2008 FIRM Panel
- Transitional Flood Prone Areas
- Flood Prone Areas
- Parcels
- Environmentally Sensitive Ove

1: 21,921

1 in = 0.35 Miles



Notes

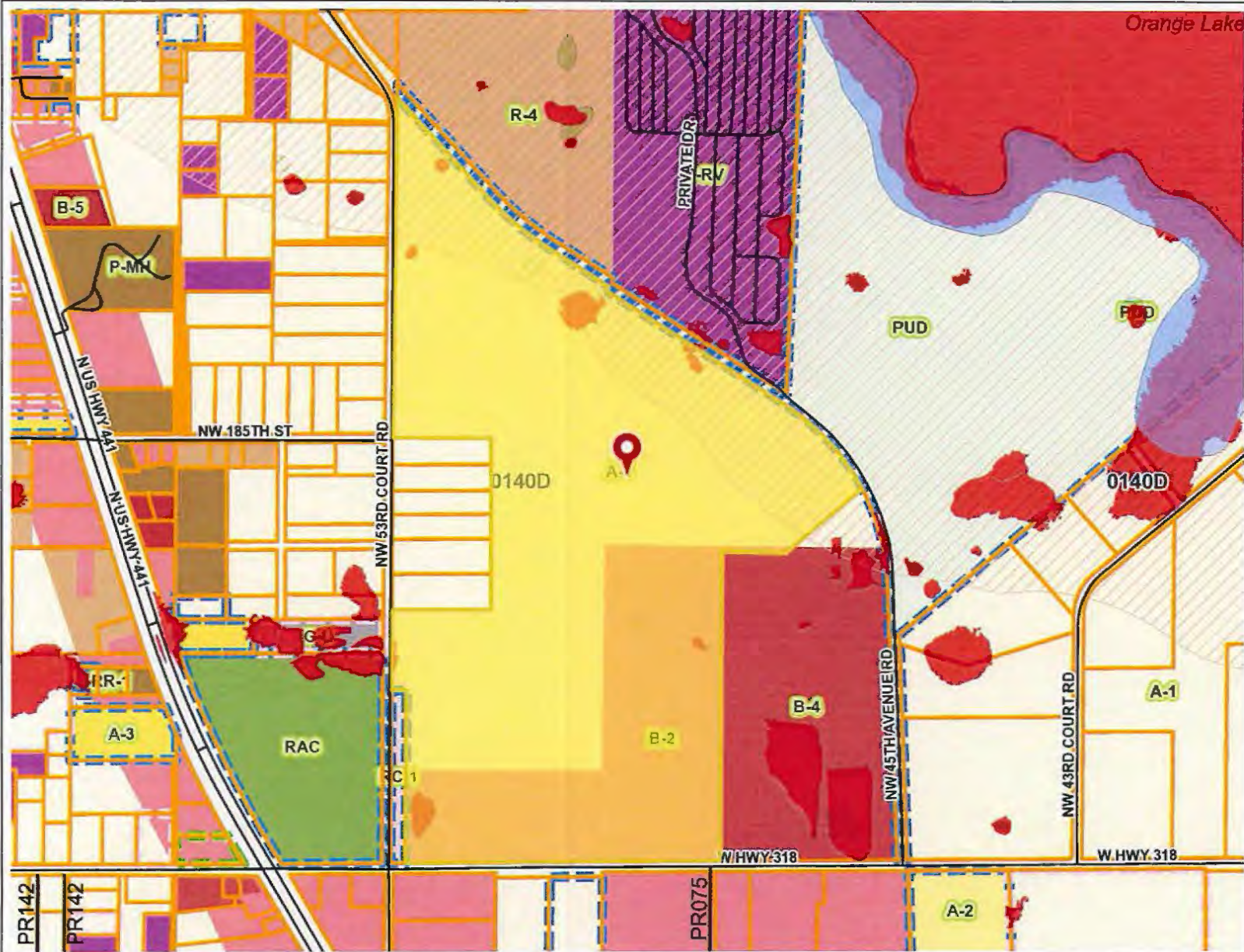
0.7 0 0.35 0.7 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

Created By:

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Creation Date: 3/3/2021



Legend

- Urban Growth Boundary
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 - X - 1% Annual Chance Flood Less
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- 2008 FIRM Panel
- Transitional Flood Prone Areas
- Flood Prone Areas
- Parcels
- Environmentally Sensitive Ove

1: 11,058

1 in = 0.17 Miles



Notes

0.3 0 0.17 0.3 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

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