



Marion County Board of County Commissioners

Date: 4/30/2021

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

**Item Number
210514SU**

Type of Application
Renewal of Special Use
Permit to allow wine
production and bottling
as part of Sokol
Vineyards operations.

Owner/Applicant
Sokol, David & Patricia

Parcel #/Acreage
12110-001-00/1.29
acres

Future Land Use
Rural Land

Existing Zoning
A-1: General Agriculture

**Code Enforcement
Action: NA**

**Staff
Recommendation**
Approval With
Conditions

**P&Z
Recommendation**
Approval With
Conditions
(ON CONSENT)

Project Planner
Kenneth Odom,
Transportation Planner



Summary

Staff recommends **Approval with Conditions** for renewal of Special Use Permit (SUP) 160308SU to allow wine production and bottling as part of Sokol Vineyards daily operations.

Public Notice

Notice of public hearing was mailed to 5 property owners within 300 feet of the subject property.

Background

Location

The subject parcel is located in the NW quadrant of Marion County on NW 160th Ave approximately one-half mile north of CR 326. It is within the Farmland Preservation Area and the Secondary Springs Zone and outside of the Urban Growth Boundary.

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

ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning	Existing Use per MCPA Property Code
N	Rural Land	A-1: General Agriculture	(60-65) Grazing
S	Rural Land	A-1: General Agriculture	(60-65) Grazing
E	Rural Land	A-1: General Agriculture	(66) Citrus Grove/Orchard
W	Rural Land	A-1: General Agriculture	(60-65) Grazing

Request

The applicants request renewal of SUP 160308SU to continue to conduct wine production and bottling as part of Sokol Vineyards LLC. There have been no violations of conditions that were established under this SUP, nor have there been any unrelated or related Code Enforcement violations on the subject parcel.

The owner/applicants reside full time in the single family residence on the subject parcel and they own a 24-acre vineyard on the east side of NW 160th Avenue with vines that have been planted for approximately nine years. Sokol Vineyards intends to continue to produce wines through sustainable methods and organic techniques to include fermentation, maturation and aging through the estate winery, from the vineyard to the bottle. The applicants also import juice from Californian sources for blending.

With approval, wine production and bottling activities would continue, primarily in a 1,860 square foot accessory structure constructed specifically for this purpose. Some bottling and packaging also occurs within the single-family residence. Current operations produce approximately 1,000 cases of Blanc Du Bois and Lenoir based varietals per year. The applicant also plans on expanding production into Port and Madeira fortified wines in the near future.

The owner/applicants have acquired and maintained a State of Florida Department of Professional Regulation, Division of Alcoholic Beverages & Tobacco, manufacturing license (AMW) and an off-premise consumption license (2APS) for the “sale of wine by the bottle only.” Wines produced by Sokol Vineyards are commercially distributed and also marketed through Katya Vineyards Restaurant, 101 East Silver Springs Blvd, which is also owned by the applicants.

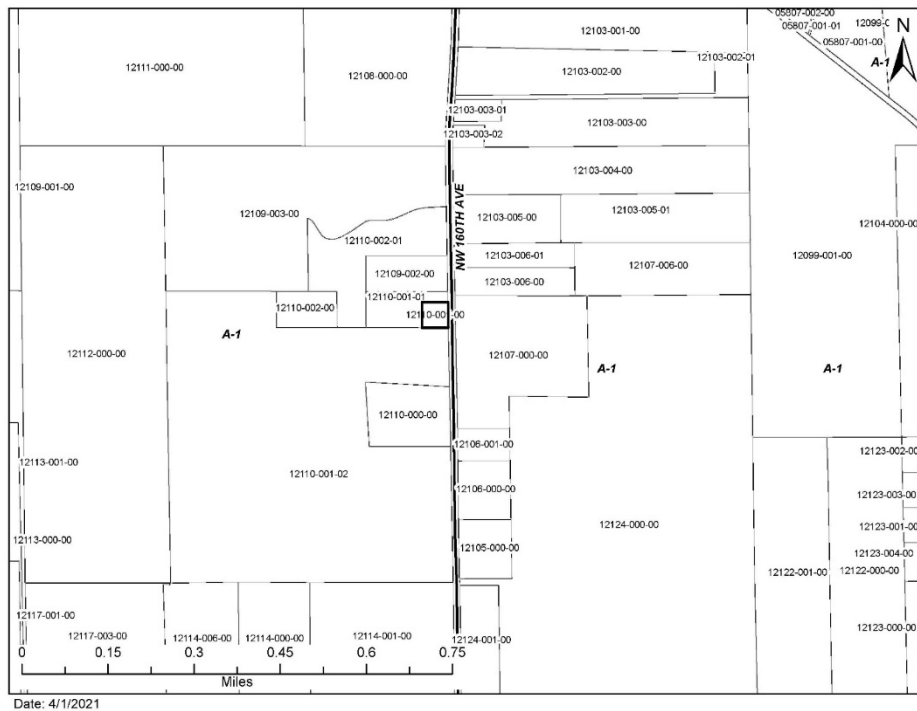
Analysis

In reaching its decision, the Commission shall find that the following exist:

- 1. Granting the special use permit will not adversely affect the public interest.** The applicant is requesting a Special Use permit renewal, originally granted in March 2016. The applicant fulfilled all of the requirements for the original Special Use permit and has successfully operated a business engaging in the production, bottling, distribution and sale of craft wines. Granting a renewal of the Special Use Permit will not adversely affect the public interest.
- 2. The proposed special use permit 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 and the site is zoned A-1: General Agriculture. The site is located within the Farmland Preservation Area and the winery with ancillary functions, i.e. production and bottling, requires a special use permit. The request is consistent with the Comprehensive Plan.
- 3. The proposed special use permit is compatible with land uses in the surrounding area.** The subject parcel is surrounded by A-1 zoned large acre tracts that are agriculturally zoned and improved. Sokol Vineyards has been in operation for approximately five years with no violation of the LDC or special use conditions that were established in 160308SU. The special use permit is compatible with the surrounding land uses.

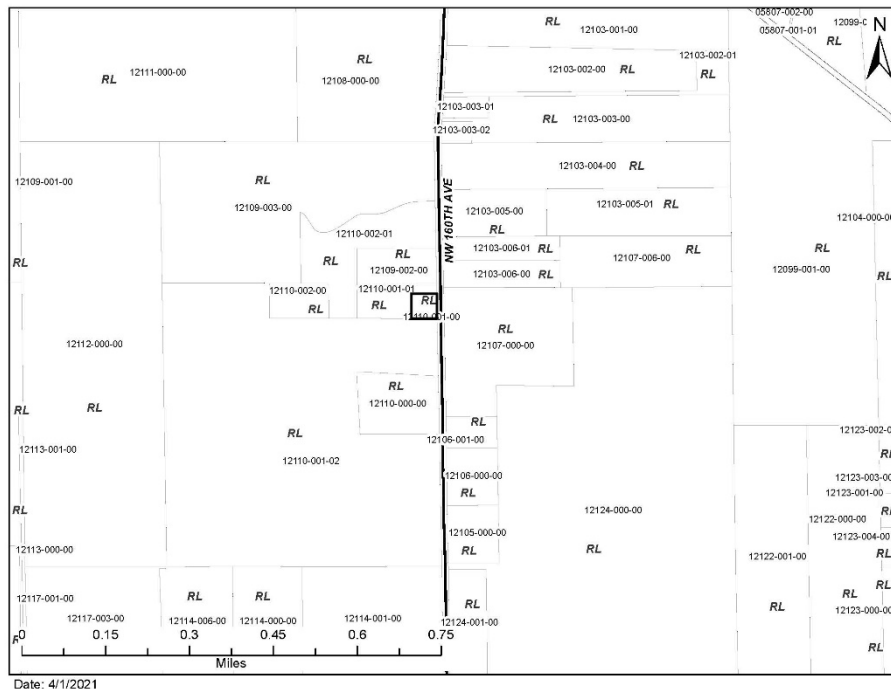
Zoning

Subject parcel is A-1: General Agriculture and surrounded by A-1: General Agriculture.



Future Land Use

Subject parcel is Rural Land surrounded by Rural Land.



Infrastructure

Water and sewer are provided by well and septic system. Electrical services are provided by SECO Energy.

Staff Recommendation:

Approval with Conditions:

1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
2. The owners/operators shall reside on-site.
3. The special use permit runs with the owners, David & Patricia Sokol, not the property.
4. Catered events and tastings are not permitted on premises.
5. Ingress/egress shall be via NW 160th Avenue via existing paved driveway entrance.
6. Any new signage identifying the business shall to comply with the requirements of the Marion County Land Development Code.
7. The applicants shall observe and abide by all requirements as established in *Florida Statute, Title XXXIV – Alcoholic Beverages and Tobacco, Chapter 564 – Wine*.
8. The Special Use Permit shall expire on May 18, 2026; however it may be renewed administratively, up to three times, for up to 5 years by a written instrument signed and issued by the Growth Services Manager (or position equivalent to the Growth Services Manager at that time), unless:
 - a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit,
 - b. Neighboring property owners within 300' of the subject property have complained

- to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
- c. The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

Photographs



Road frontage on NW 160th Ave



Driveway Access & Residence



Renovated garage/Bottling Area



Northern Renovated Garage

View of neighboring properties from the subject property



West



South



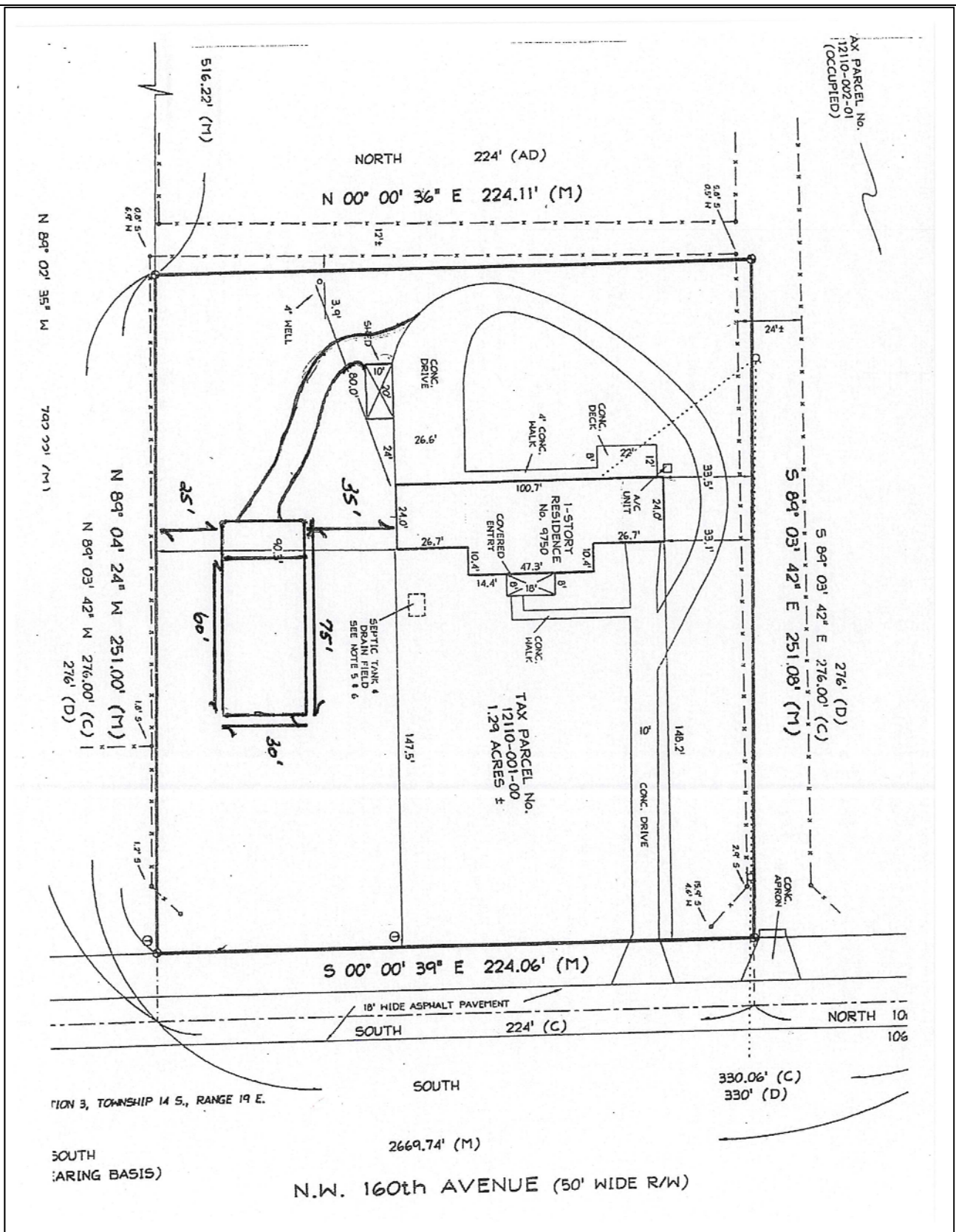
North



Primary Production Facility

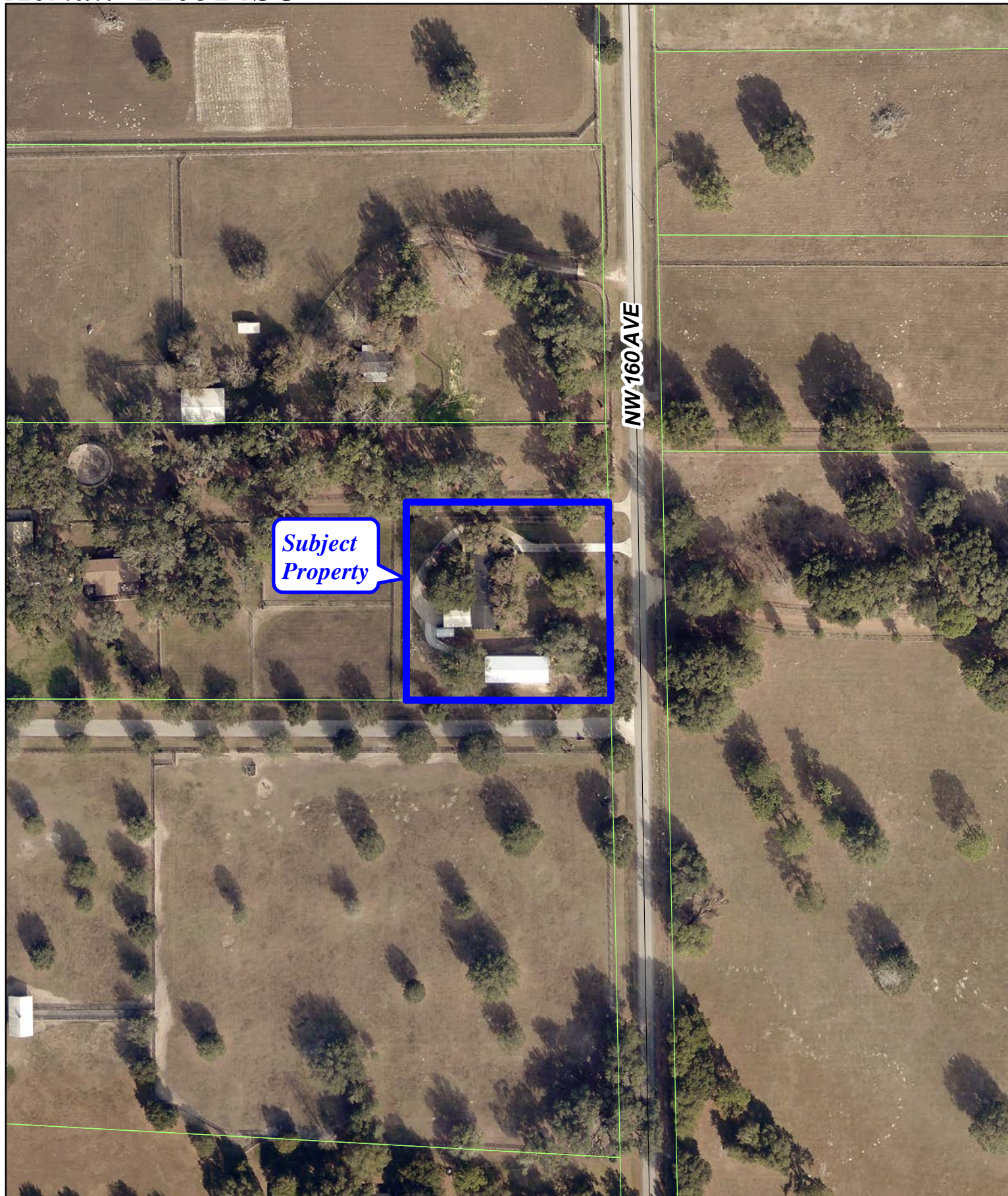


Stock & Storage



Site Plan

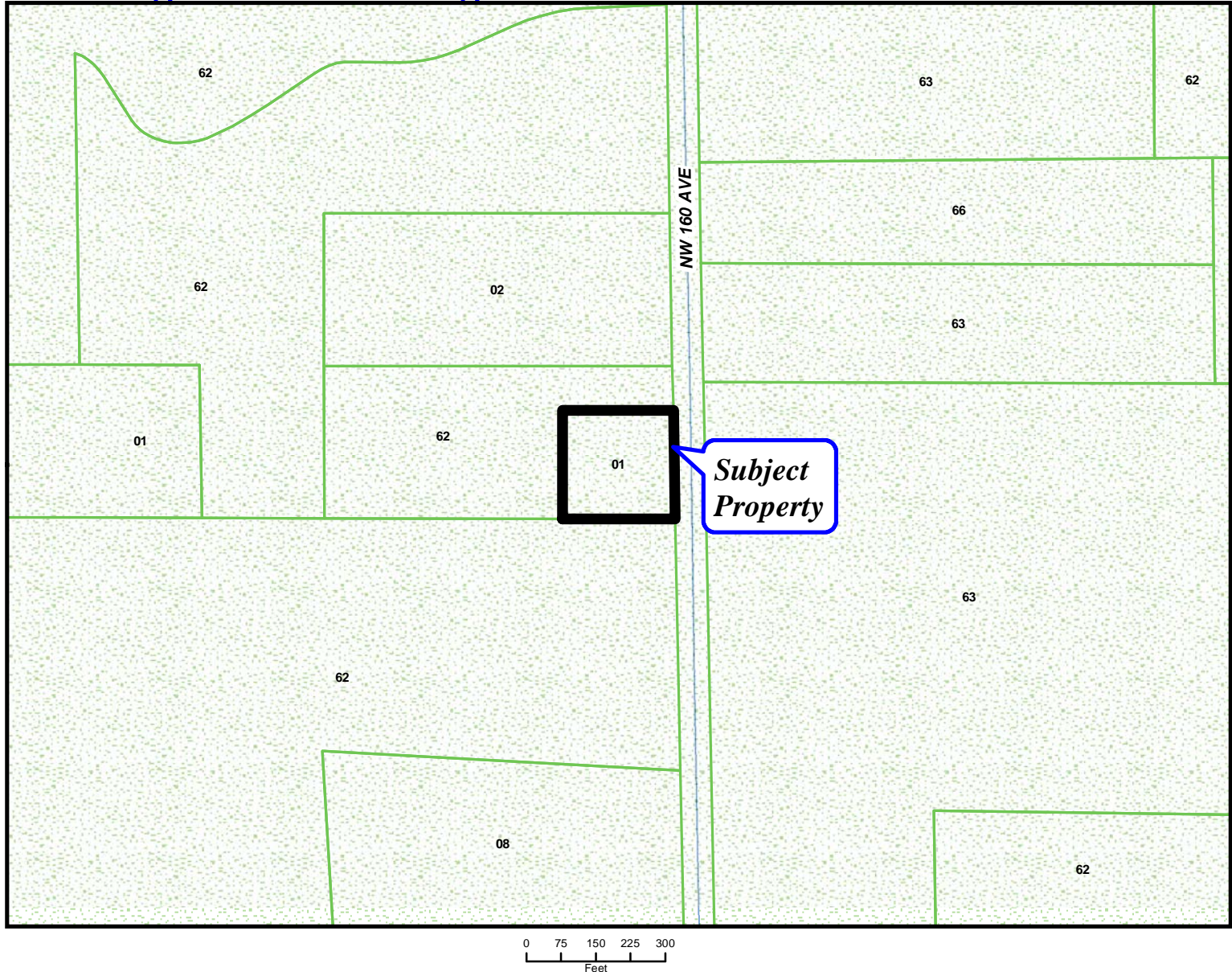
Aerial: 210514SU




0 75 150 225 300
Feet



Existing Land Use Designation 210514Z



Use per MC Property Appraiser		OWNER(S): David F. and Patricia T. Sokol - c/o Sokol Vineyards, LLC / Kataya Vineyard	
01	Single Family Res	AGENT: SAME	
50-69/99	Agricultural		
00/10/40/70	Vacant	PARCEL(S): 12110-001-00	
71	Church		
02	Mobile Home	<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>	
06-07/11-39	Commercial		
41-49	Industrial		
83-98	Public		
82	Recreation		
03-05/08	Multi-Family		
77	Club/Lodge/Union Hall		

Legend

• All Amendments	Rural Land (1 du/10 ac)	Urban Residential (8 - 16 du/ac)	Employment Center (0 - 12 du/ac; FAR 2.0)
Policy 1.20	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 Services • Planning & Zoning

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

www.marioncountyfl.org

#210514 SU

AR#: 26347

PA#: 12110-001-00

Renewal of SUP# 160308SU
(16-R-114)

SPECIAL USE PERMIT APPLICATION - REGULAR

The undersigned hereby requests a Special Use Permit in accordance with Marion County Land Development Code, Articles 2 and 4, for the purpose of: Winery Bottling w/ exp. 3/15/2021

Description: (Please attach a copy of the deed and location map.) Parcel Zoning: A-1

Parcel account number(s): 12110-001-00

Property dimensions: 276' X 244' Total Acreage: 1.29

Directions: From Ocala: North on Hwy 27; west on Hwy 326; North on 160th Ave - 1/2 mile on the left.

Each property owner(s) MUST sign this application or provide written authorization naming an applicant or agent to act on his behalf. Please print all information, except for the Owner and Applicant/Agent signature.

David F. Sokol and
Property Owner name (please print)

Patricia T. Sokol
Applicant or agent name (please print)

9750 NW 160th Ave
Mailing Address

9750 NW 160th Ave.
Mailing Address

Morrison, FL 32668
City, State, Zip code

Morrison, FL 32668
City, State, Zip code

352-875-9614
Phone number (include area code)

352-875-9617
Phone number (include area code)

david@katyavineyards.com
E-mail address

patricia@katyavineyards.com
E-mail address

[Signature]
Signature

[Signature]
Signature

PLEASE NOTE: A representative is strongly encouraged to attend the public hearings when this application will be discussed. If no representative is present, the request may be postponed or denied. Hearing notices will be mailed to the address(es) listed above. All information submitted must be correct and legible to process the Application. Contact Growth Services Planning & Zoning at (352) 438-2675 for more information.

STAFF/OFFICE USE ONLY			
Project No.: <u>201008001</u>	Case No.: <u>N/A</u>	Application No.: <u>26347</u>	
Rev'd by: <u>Gm</u>	Rev'd Date: <u>3/2/21</u>	FLUM: <u>RL</u>	Zoning Map No.: <u>36</u>
			Rev: 04/20/15

Written Description of Addendum to Special Use Permit (SUP) Resolution No. 16-R-114
dated March 15, 2016

Attachment to Concept Plan (Boundary Survey dated 12/09/2015) for Tax Parcel No.
12110-001-00 owned by Drs. David and Patricia Sokol

1. Provision for ingress and egress to property and proposed thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.

The Addendum to Special Use Permit (SUP) # 16-R-114 is requested for an existing concrete and steel structure agricultural building for the purpose of processing and bottling wine produced by Sokol Vineyards. The owners, Drs. David and Patricia Sokol, reside full time in the 3 bedroom 2 bath residence 35 feet away from the structure.

There is a 240 foot long concrete driveway directly off of NW 160th Avenue with no fence or gate or other impediment. The driveway connects to the back of the agriculture building for offloading supplies needed for the winery through a large rollup door.

In case of a fire or other catastrophe there is direct access to all sections of the building from the flat 224 foot front property line bordering NW 160th Ave.

2. Provision of off-street parking and loading areas, where required, with particular attention to the items of (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties generally in the surrounding area.

As noted above, there is a 240 foot long concrete driveway directly off of NW 160th Avenue with no fence or gate or other impediment. The winery is self-contained with minimal truck or tractor traffic for loading grapes and/or supplies.

Also noted on the Google map pictures, our Tax Parcel No. 12110-001-00 consists of 1.29 acres and is surrounded by agricultural acreage. The nearest residence is in excess of 100 yards from the Sokol structure/residence.

3. Provision for refuse and service area, with particular reference to items in (1) and (2) above.

There is no general refuse pick up for this rural area. Each land owner (farmer) disposes of their refuse at the nearest refuse collection area on US HWY 27 (Blitchton). We do not expect any unusual refuse except in packaging materials (cardboard boxes) which we generally recycle at the Blitchton Refuse Center.

4. Provision for utilities, with reference to locations, availability and compatibility.

As indicated on the Boundary Survey there is an existing well and septic tank and electric.

5. Provision for screening and buffering of dissimilar uses and of adjacent properties where necessary.

There is a natural buffer of land to adjacent properties as the closest residence is in excess of 100 yards from the Sokol residence and structure.

6. Provision for signs, if any and exterior lighting with consideration given to glare, traffic safety, economic effects and compatibility and harmony with properties in the surrounding area.

Neighboring land owners installed on the north side of the property SECO street lights at the road and also at the Northwest corner of the Sokol property. The Sokol's installed motion sensor lights on their own residence and structure in addition to these two outside street lights.

7. Provision for required yards and other green space.

Except for the existing structure the remainder of the 1.29 acres is open green space in grass with several large trees.

8. Provision for general compatibility with adjacent properties and other property in the surrounding area.

The agriculture building was built to match the existing residence and other neighboring agriculture (horse) farm buildings. The family residence looks the same as it did when constructed in the early 1980's. It will continue to remain a single family dwelling in the middle of beautiful farm land and vineyards.

9. Provision for meeting and special requirements by the site analysis for the particular use involved.

There are no special requirements noted at this time.

RESOLUTION NO. 16-R-114

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING THE ISSUANCE OF A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Special Use Permit was duly filed and considered by the Marion County Planning and Zoning Commission at its meeting on February 29, 2016; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida at its meeting on Tuesday, March 15, 2016, now therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. SPECIAL USE PERMIT APPLICATION APPROVAL 160308SU David and Patricia Sokol. The Application requesting a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, as submitted by David and Patricia Sokol, Ocala, FL, a copy of said application being on file with the Marion County Growth Services Director, is hereby approved for a winery bottling and winery tasting/salesroom within an existing structure, on approximately 1.29 acres, in an A-1 (General Agriculture) zone, on Parcel Account No. 12110-001-00, 1.29 acres.

SECTION 2. FINDINGS AND CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission recommending approval of the Special Use Permit and the Board approves the Special Use Permit subject to the following conditions:

1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
2. This Special Use Permit shall allow the manufacturing, serving/tasting and selling of wine and product related retail items, 6 days/week, not to exceed 30 hours/week.
3. Ingress/egress shall be via NW 160th Avenue via existing paved driveway entrance.
4. The owner/applicant shall, within thirty (30) days of approval of the Special Use permit, apply for a building permit for a new certificate of occupancy associated with the change in use of the structure(s). Owner/applicant shall obtain the new certificate of occupancy within six (6) months of application for a building permit.
5. The owners/operators shall reside on-site.
6. The special use permit runs with the owners, David & Patricia Sokol, not the property.
7. This Special Use Permit applies to the entire 1.29 acres.

8. The Special Use Permit shall expire on March 15, 2021. The applicant may submit a new Special Use Permit application for consideration to renew and extend this permit in the future.

SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

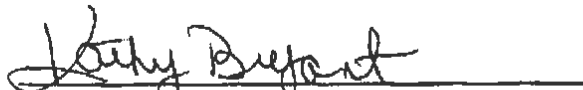
DULY ADOPTED in regular session this 15th day of March, 2016.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

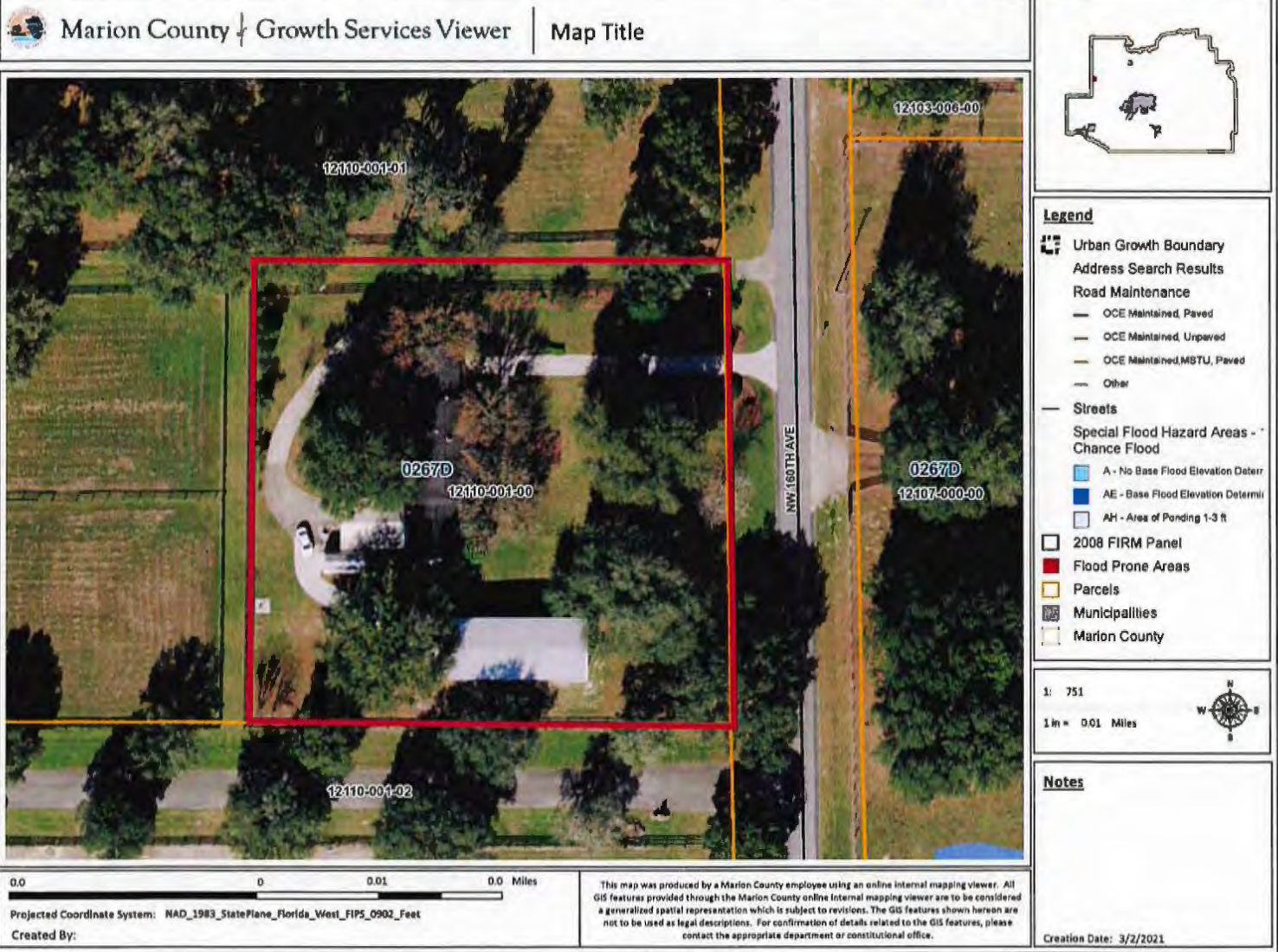


DAVID R. ELLSPERMANN, CLERK



KATHY BRYANT, CHAIRMAN

#210514SU



AX PARCEL No.
12110-002-01
(OCCUPIED)

