



MARION COUNTY GROWTH SERVICES

Date: 5/4/2021

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

**Application No:
210508Z**

Type of Application
Rezoning

Request
From R-E Residential
Estate to A-1 General
Agriculture, for all
permitted uses

Owner
Jason Reed and
Crystal Reed

Parcel #/Acreage
3758-014-000 /
3.05 acres

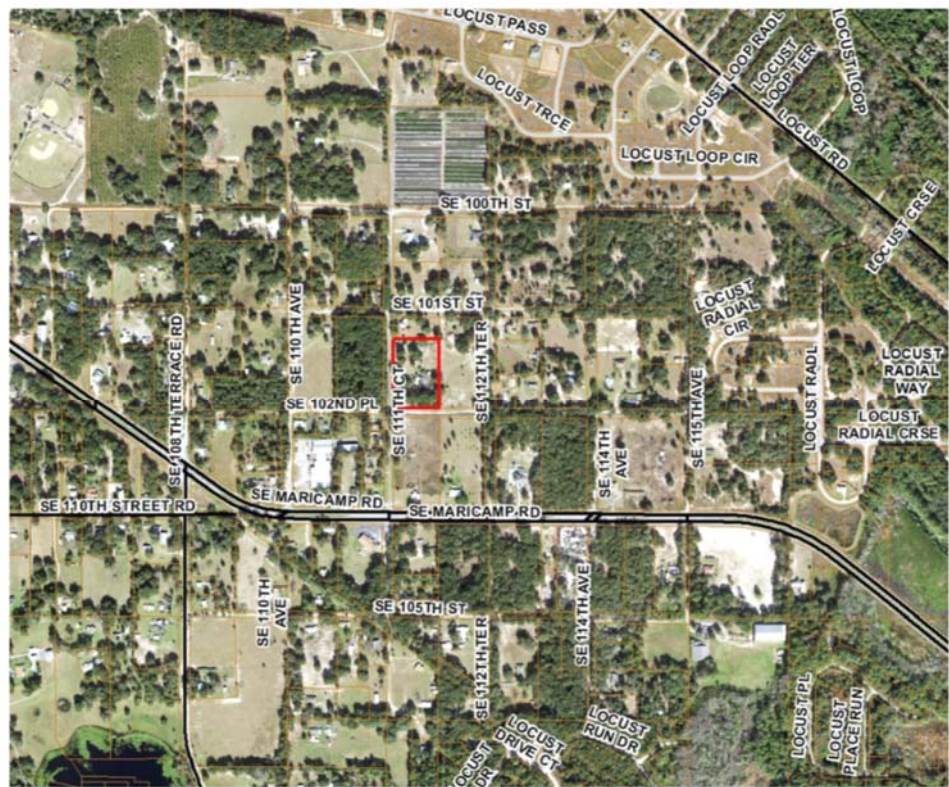
Future Land Use
Low Residential

Existing Zoning
R-E Residential Estate

**Staff
Recommendation**
Denial

**P&Z
Recommendation:**
Denial (Vote 4 to 1)

Project Planner
Kimberleigh Dinkins,
Sr. Planner



Item Summary

Staff is recommending **Denial** for a rezoning request from R-E Residential Estate, (3.05 acres) to A-1 General Agriculture for all permitted uses. The change in zoning will adversely affect the public interest. The request is also not compatible with land uses in the surrounding areas. The parcel is located in the Candler Subdivision (platted 1883) where lot sites range from 0.2-4 acres. The parcel is only three acres and does not meet minimum lot size for A-1 zoning. None of the surrounding area meets the minimum lot size for agricultural zoning, nor are they classified as agricultural by the Property Appraiser. The A-1 zoning in the vicinity was the “default” zoning for historic subdivisions such as this. The site is currently developed with two homes and a metal building, and was rezoned to R-E at the request of the owner in 1994.

Public Notice

Notice of public hearing was mailed to 13 property owners within 300 feet of the subject property. There has been no written opposition at the time of this report’s distribution.

Background

Location

The subject property is located at 10181 SE 111th Ct in the Candler subdivision. It is approximately 780ft north of SE Maricamp Road and 1,000ft south of Silver Springs Shores Unit 51.

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

ADJACENT PROPERTY CHARACTERISITICS			
Direction of Adjacency	Future Land Use Designation	Zoning	Existing Use/MCPA Property Class
North	Low Density Residential	A-1 General Agriculture	(01) Improved Residential
South	Low Density Residential	A-1 General Agriculture	(02) Improved Mobile Home
West	Low Density Residential	A-1 General Agriculture	(01) Improved Residential
East	Low Density Residential	A-1 General Agriculture	(00) Vacant Residential

Infrastructure

The access to the site is from SE 111th Ct or SE 102nd PL.

ROADWAY STATUS AND CONDITIONS						
Road	Class	Maint. Entity	Existing Conditions			
			Surface	No. Lanes	R/W Width	R/W Deficiency
SE 111 th Ct	Local Subdivision	County	Paved	2	60'	0'
SE 102 nd PL	Unclassified	Private	Unpaved	-	70	0'

Request:

The applicant is requesting to rezone from R-E Residential Estate to A-1 General Agriculture, for all permitted uses. The applicant has a landscaping business and would like to use the parcel for a flower nursery, greenhouse, garden and

poultry, per the application. Note that the current R-E zoning allows each of these uses in limited capacity and the applicant has been advised that a special use permit would be a more appropriate request.

Analysis:

The subject property is located between SE Maricamp Rd and Silver Springs Shores, about ½ mile southeast of Lake Weir High School. It is outside of the Urban Growth Boundary and within the secondary Springs Protection Zone. The property was rezoned from A-1 to R-E in 1994; the R-E zoning being a more appropriate zoning based on the size and location of the parcel.

Although the immediate surrounding properties are zoned A-1, General Agriculture, the area is characterized by smaller lots (0.3 -4.0 acres) and a mix of residential and commercial uses. Further, none of the parcels in the vicinity are classified as agricultural per the Property Appraiser, nor do they benefit from Florida's agricultural exemption for bona fide agricultural operations. Between 1984 and 2021, 5 parcels in the immediate vicinity have obtained an R-E zoning, whereas none have been re-designated A-1.

The application has been reviewed by the County's Development Review Committee (DRC) and no significant concerns were addressed by other departments. Planning and Zoning staff noted that the lot does not meet minimum tract size for A-1 and is in the Low Density Residential Urban Area. Also, the A-1 uses could have the potential to negatively affect the surrounding properties.

In reaching its decision, the Commission will find:

a. Granting the proposed zoning change will adversely affect the public interest. The subject property is only 3 acres, and is not in common ownership with any adjacent parcels. The A-1 zoning designation allows a number of agricultural activities by right, and places very little limitation on their intensity. The parcel is approximately 1/3 the minimum size required for the A-1 Zoning. Although surrounding properties do have A-1 zoning, that was the default zoning in the 1970s and a number of parcels in the vicinity have rezoned to R-E. No surrounding parcels are being used for bona fide agriculture. The current R-E zoning allows certain personal-use agricultural activities by right, and the Board could authorize additional limited uses under a Special Use Permit, as described in LDC Sec. 2 Division 8.

b. The proposed zoning change is consistent with the current Comprehensive Plan. The Marion County 2045 Future Land Use Map of the Comprehensive Plan designates the subject property as Low Residential. Because there is no minimum density for the Low Residential FLU, a parcel could meet the 10ac requirement for A-1 zoning. However, this parcel is only 3 acres and does not meet the minimum zoning requirement.

Future land use (The subject property has future land use of Low Density Residential.)

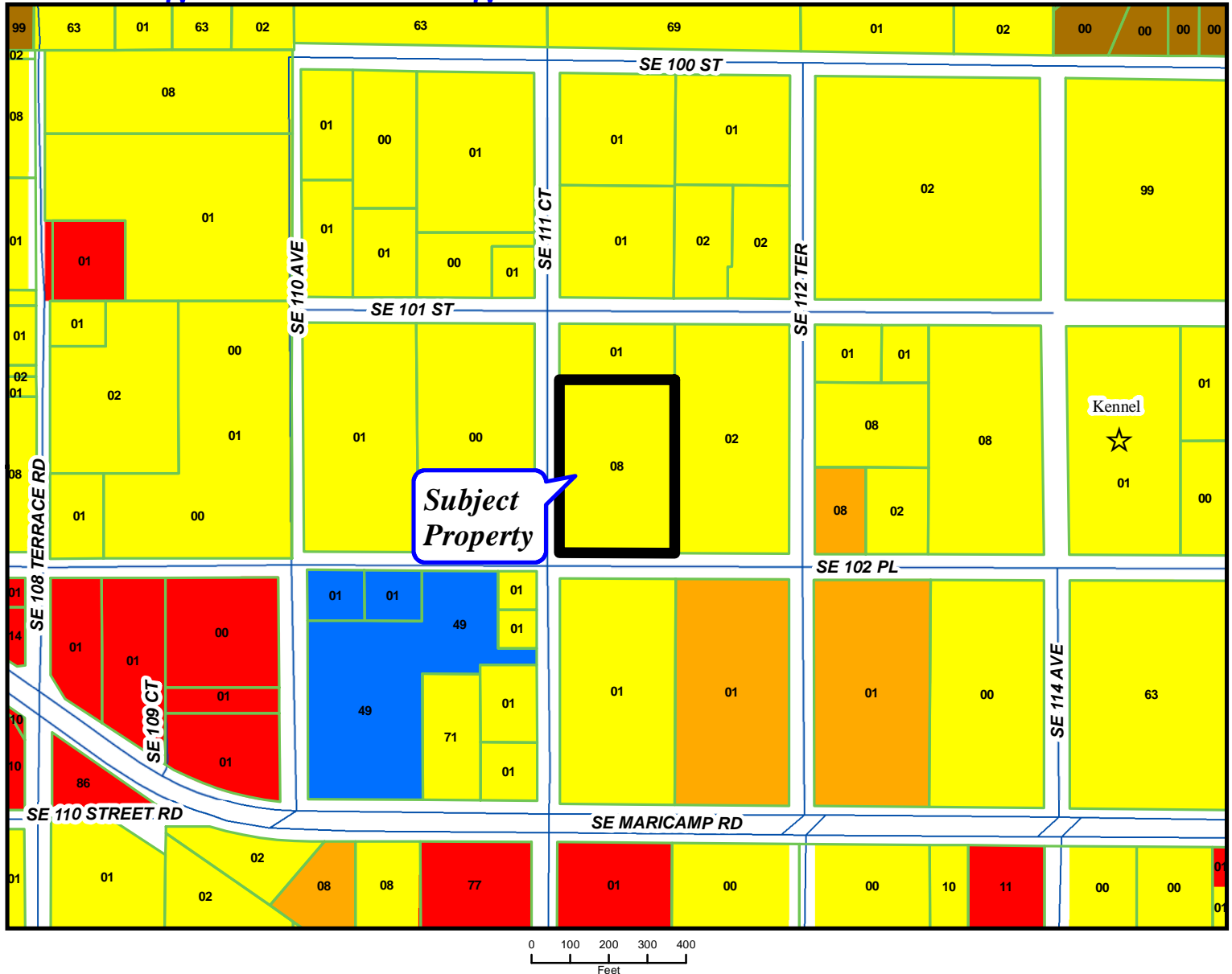
Aerial: 210508Z





0 100 200 300 400
Feet



Existing Land Use Designation 210508Z



Use per MC Property Appraiser		OWNER(S): Jason M and Crystal I. Reed	
01	Single Family Res	AGENT: SAME	
50-69/99	Agricultural		
00/10/40/70	Vacant		
71	Church	PARCEL(S): 3758-014-000	
02	Mobile Home		
06-07/11-39	Commercial		
41-49	Industrial	<div></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></div>	
83-98	Public		
82	Recreation		
03-05/08	Multi-Family		
77	Club/Lodge/Union Hall		

Legend

• All Amendments

☆ Policy 1.20

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

2105083
AR#: 26308
PA#: 3758-014-000

APPLICATION FOR REZONING

Application No.: # 2105083

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 RE

to A-1 (Changing Back to A1), for the intended use of:

Flower nursery, greenhouse, garden, poultry

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

Parcel account number(s): 3758-003-000 3758-014-000

Property dimensions: E: 297.4' / 146.65' W: 297.03' / 146.64' Total acreage: 3.05 ✓

Directions: 10181 SE 111th Ct Ocala FL 34472

Site: 10177 SE 111th Ct Ocala FL 34472

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

Jason M. Reed and Crystal I. Reed

Property owner name (please print)

10181 SE 111th Ct ✓

Mailing address

Ocala Florida 34472

City, state, zip code

352-470-5470

Phone number (please include area code)

[Signature]

Signature

Applicant or agent name (please print)

Mailing address

City, state, zip code

Phone number (please include area code)

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.

FOR OFFICE USE ONLY

RECEIVED BY: DM DATE: 2/23/2021 ZONING MAP NO.: 274

Rev. 01/11/2021

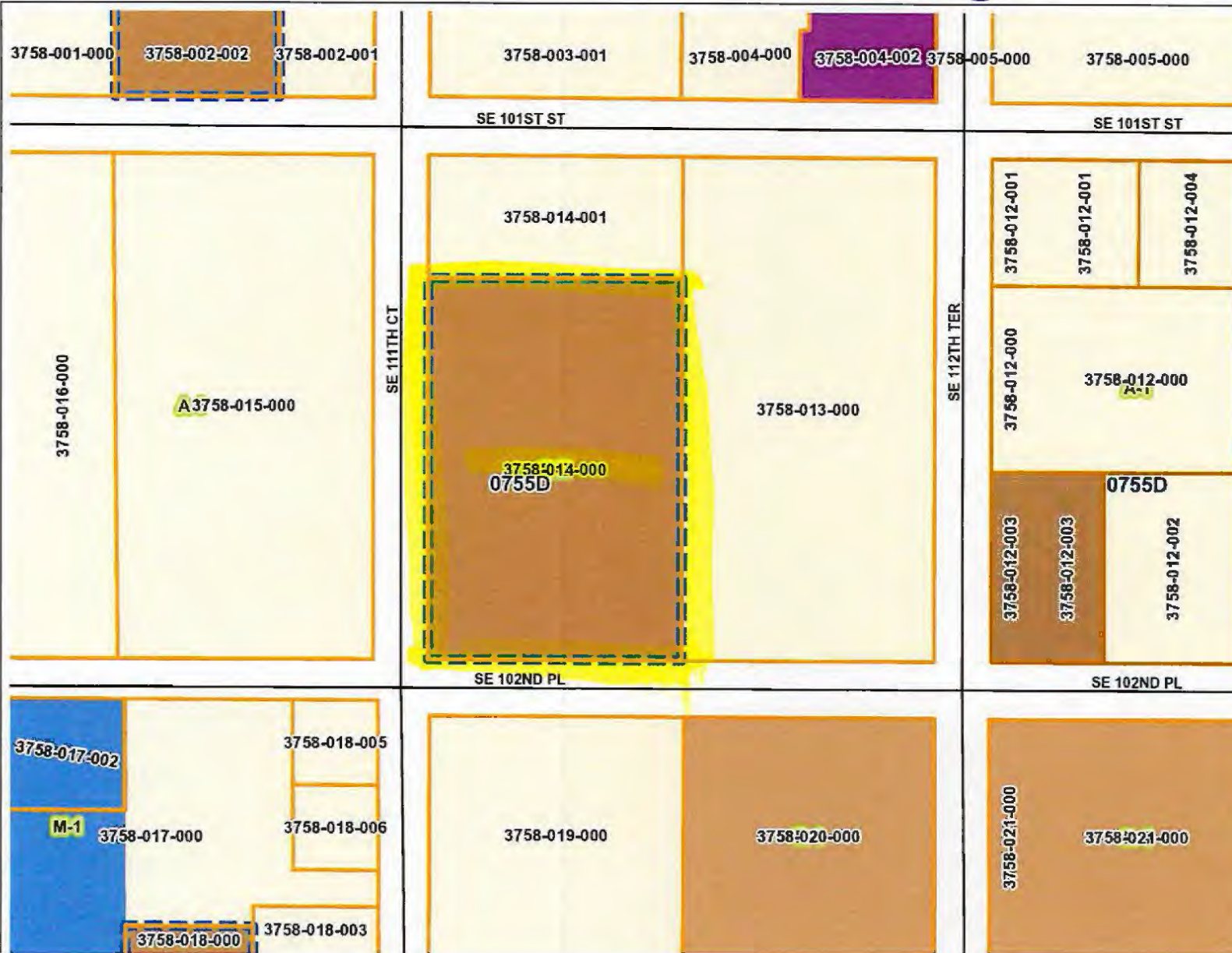
Sec. 25-16-23
"Candler"

PRJ. 2620 010059

Empowering Marion for Success

AR 26308

www.marioncountyfl.org



Legend

- Urban Growth Boundary
- Address Search Results
- Streets
- Special Flood Hazard Areas - Chance Flood
 - A - No Base Flood Elevation Determined
 - AE - Base Flood Elevation Determined
 - 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 Chance Flood
- 2008 FIRM Panel
- Transitional Flood Prone Areas
- Flood Prone Areas
- Parcels
- Environmentally Sensitive Overlays
- Family Divisions

1: 2,106

1 in = 0.03 Miles



Notes

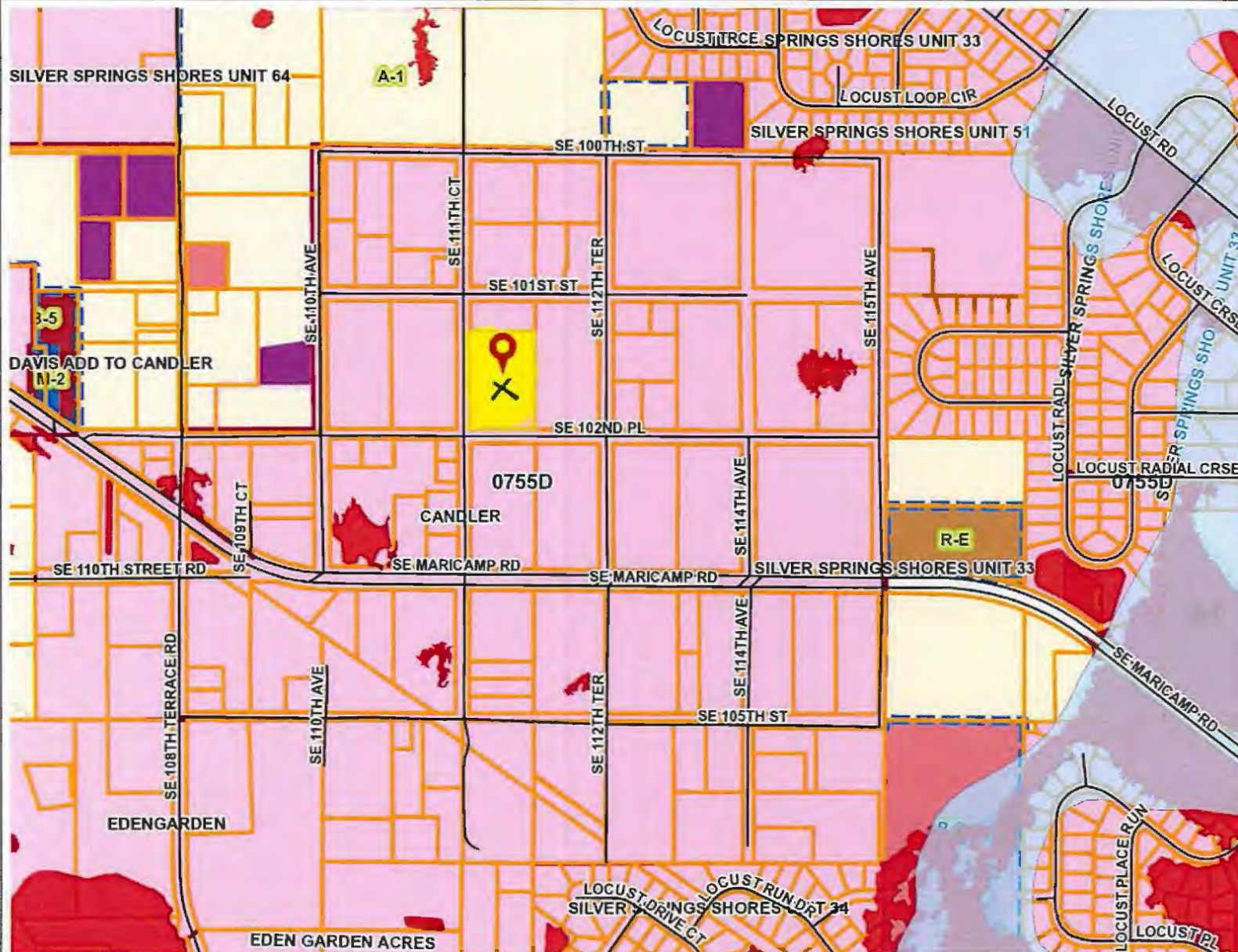
0.1 0 0.03 0.1 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

Created By:

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Creation Date: 2/23/2021



Legend

- Urban Growth Boundary
- Address Search Results
- Streets
- Special Flood Hazard Areas - Chance Flood**
 - A - No Base Flood Elevation Determined
 - AE - Base Flood Elevation Determined
 - 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 Chance Flood
- 2008 FIRM Panel
- Transitional Flood Prone Areas
- Flood Prone Areas
- Parcels
- Subdivisions
- Environmentally Sensitive Overlays

1: 8,351

1 in = 0.13 Miles



Notes

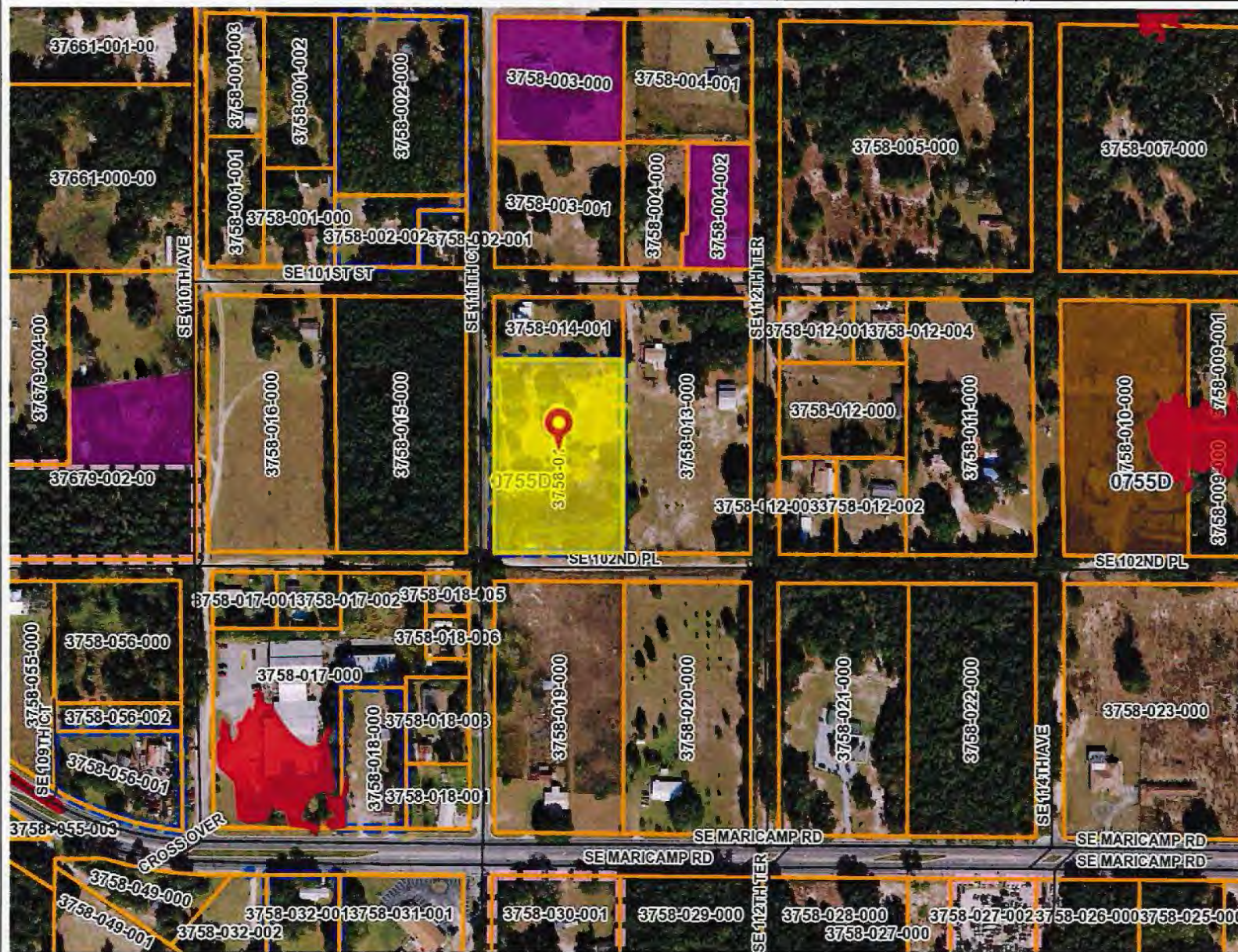
0.3 0 0.13 0.3 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

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Creation Date: 2/23/2021



0.1 0 0.07 0.1 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

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Legend

- Urban Growth Boundary
- Address Search Results
- Streets
- Special Flood Hazard Areas - Chance Flood**
 - A - No Base Flood Elevation Determined
 - AE - Base Flood Elevation Determined
 - 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 Chance Flood
- 2008 FIRM Panel
- Transitional Flood Prone Areas
- Flood Prone Areas
- Parcels
- Environmentally Sensitive Overlays
- Family Divisions

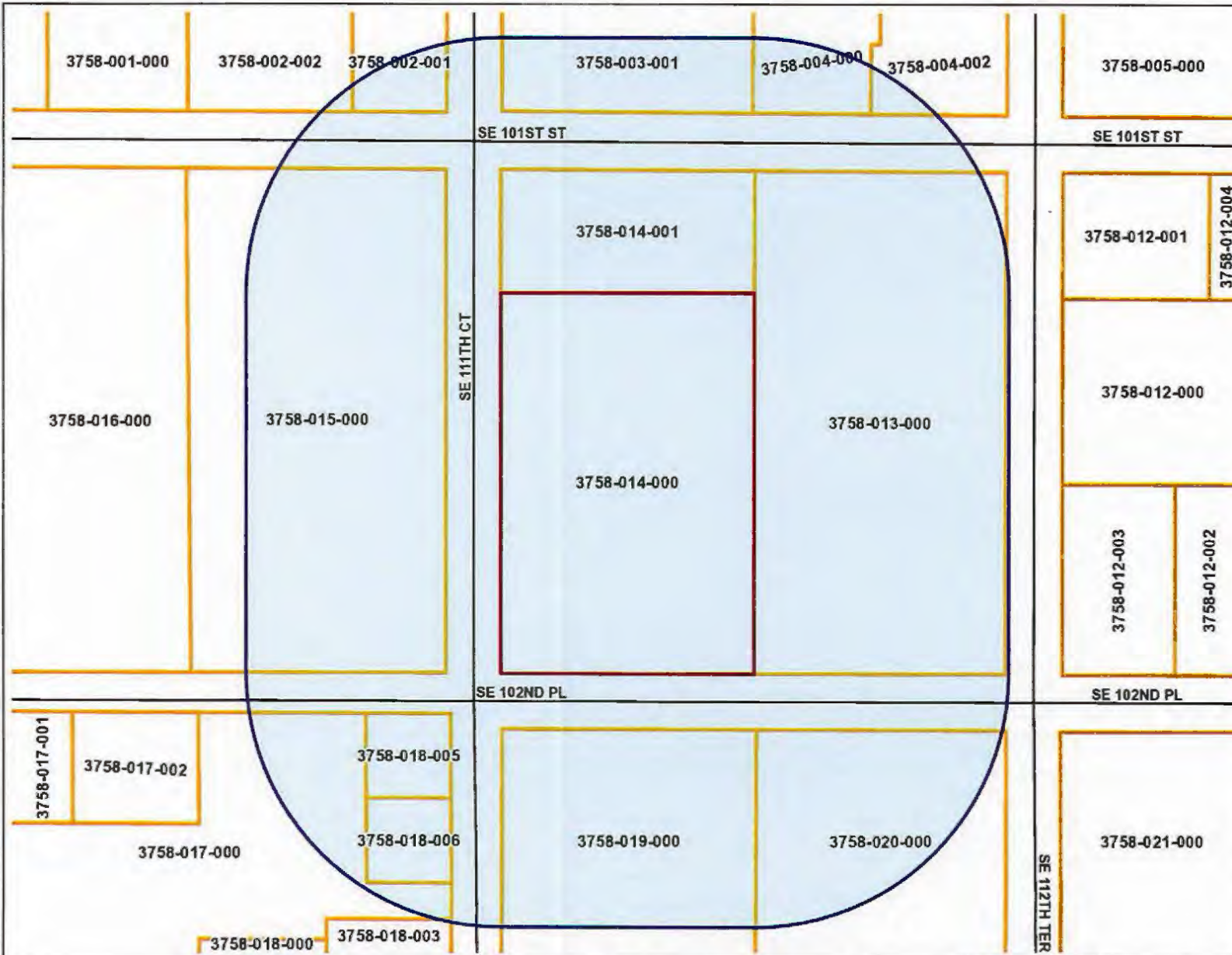
1: 4,176

1 in = 0.07 Miles



Notes

Creation Date: 2/23/2021



Legend

- Urban Growth Boundary
- Address Search Results
- Streets
- Parcels
- Municipalities
- Marion County

1: 2,107

1 in = 0.03 Miles



Notes

C/O: N/A
AGENT: N/A

0.1 0 0.03 0.1 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

Created By: dp

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Creation Date: 3/15/2021