

# PLANNING AND ZONING COMMISSION MEETING

March 29, 2021

## MINUTES

The Marion County Planning and Zoning Commission met on March 29, 2021 at 5:30 pm in the Board of County Commissioners Auditorium, 601 SE 25<sup>th</sup> Avenue, Ocala, Florida.

The following members were present: Chairman Greg Lord, Vice-Chairman Michael Kroitor, Andy Bonner, Jerry Lourenco and alternate Michael Behar.

The following staff members were present: County Attorney, Guy Minter. Director of Growth Services Mary Elizabeth Burgess. Deputy Director of Growth Services Joanna Coutu. Planners- Ken Weyrauch, Chris Rison, Ken Odom, Kim Dinkins and Dan Zhu. Administrative Staff Assistant- Stephanie Soucey and Staff Assistant IV- Darlene Pocock. Tracy Straub, County Engineer. Jody Kirkman, Environmental Services Director. Robin Hough, Code Enforcement Supervisor.

Chairman, Greg Lord called the meeting to order at 5:30 pm., Director, Mary Elizabeth Burgess read the Proof of Publication and the Affidavit of Mailing and Posting of Notice, and advised that the meeting was properly advertised. Michael Behar led the Invocation and the Pledge of Allegiance. Stephanie Soucey called the roll and a quorum was confirmed.

***All records pertaining to notice to property owners, all correspondence and other related information pertaining to individual Zoning Change and Special Use Permit requests are located in the Zoning Department files for record purposes.***

Growth Services Director, Mary Elizabeth Burgess explained the item listed on the Consent Agenda. This item received no written opposition within 300 feet and staff recommends approval of the request.

	ITEM	OWNER	FROM-TO	ACREAGE
1	2021-02DT	Liberty Crossing	Developers Agreement Termination	n/a
2	2021-03DT	Liberty Village- Toshi II	Developers Agreement Termination	n/a
3	210108SU	Susan Welsh	Special Use Permit Renewal in R-4	1.07
4	210404Z	Fountain Head Ocala LLC	B-4 to R-3	4.9
5	210405Z	Markovich Properties, Inc.	A-1 and R-2 to B-2	1.33
6	210406Z	Bruce E. Oehlerking Trust and Michael Oehlerking	B-4 to G-U	10
7	210407SU	Bruce E. Oehlerking Trust and Michael Oehlerking	Special Use Permit in G-U	10
8	210408SU	Richard and Martine Waters	Special Use Permit Renewal in A-1	80.0
9	210410SU	Ocklawaha Bridge Baptist Church	Special Use Permit Modification in A-1, B-2 and B-4	12.45
10	210411SU	Costello Family Holdings LLC	Special Use Permit in A-1	33.11



11	210412SU	BlueIsland Properties, LLC	Special Use Permit in B-5	1.15
12	210414Z	JoCalBro, Inc. Profit Sharing Plan Trust	R-1 to R-4	0.27

Motion was made by Michael Kroitor and seconded by Michael Behar to agree with staff's findings and recommendation, and recommend approval of the following Consent Agenda items (2021-02DT, 2021-03DT, 210108SU, 210404Z, 210405Z, 210406Z, 210407SU, 210408SU, 210410SU, 210411SU, 210412SU and 210414Z) based on the following findings of fact:

1. Will not adversely affect the public interest
2. Are consistent with the Marion County Comprehensive Plan
3. Are compatible with the surrounding land uses

**The Motion passed 5-0**

**210401Z – HTM Developers, LLC. R-1 to PUD, 33.99 acres. PULLED FROM CONSENT**

**210415Z- Golden Ocala Equestrian Land, LLC, Modification of an existing PUD, 15 acres. WITHDRAWN BY APPLICANT**

**13. 2021-01DT- Freedom Crossing, Developer's Agreement Termination**

WRITTEN OPPOSITION WITHIN 300 FEET 23 of 89= 26%

- Chris Rison, Growth Services, presented this request:
- This item is a request related to a site which obtained a comprehensive plan amendment back in 2007. At that time the developers' agreement was required as part of the comprehensive plan amendment. At that point Marion County was in the process of updating a number of our development regulations but they had not yet been updated.
- The applicant is requesting to terminate the developers' agreement requirement that is there now. It has been established and recorded in the public records. The majority of provisions that are in that agreement are now addressed in our land development regulations through the zoning of the site and the traffic study requirements are part of our development code now.
- Staff is recommending approval of termination of the developers' agreement.
- A Dollar General was constructed just west of the application site.
- The majority of the site is vacant and used as pasture, and a portion on the NW corner was conveyed to Marion County for use as a retention area.
- The primary requirements related to the developers' agreement addressed things like providing central water and central sewer which will be done. They have a conceptual site plan which did provide for an arrangement for their land uses. They are looking to allow for adjustment of that. However, the land uses that were addressed by that developers' agreement are permissible in the B-2 zoning. The whole site is currently zoned B-2. They are looking for more flexibility on how to align things. Especially given that 95<sup>th</sup> street is long term now a four lane highway. They are thinking of shifting some of those uses around. They would have to comply with our development requirements for buffering and screening.
- To terminate an agreement requires two public hearings. One before the local planning agency and one before the Board of County Commissioners.

Todd Rudniansyn, 2441 NE 3<sup>rd</sup> Street, Bldg. 201 Ocala FL 34470, the applicant:

- Staff nailed it on the head. A few things about this parcel, if you participated in the 2000 in the State Road 200 corridor study. The idea was to create commercial nodes central from State Road 200 within the triangle that is made from 200, I-75 and 484 so that people could access services without having to go the State Road 200 corridor itself. So commercial land uses and zonings were approved at 68<sup>th</sup>



avenue and 95<sup>th</sup> street, 49<sup>th</sup> avenue and 95<sup>th</sup> street. This one was approved like Chris said with a developers' agreement that required things like water and sewer (which now exist) and a traffic study (which will have to occur). It had an archaic kind of bubble conceptual plan. We do land use entitlement and zoning but also develop self-storage facilities and recently have been able to successfully (in our opinion) utilize self-storage as a buffer (because it is such a non-intense use of a commercial parcel) between residential and more intense commercial uses. So if you look at the current conceptual it puts self-storage kind of in the center of that parcel and our intent would be to utilize it in the southwest area as a buffer between residential lots and some of those other commercial uses that are allocated under the B-2 zoning.

- He would be happy to meet with anyone that has questions. If he had known that people had concerns he would have met with them before. Any development in Marion County will be required to meet the requirements of the Land Development Code and/or go before the Development Review Committee. They adequately add buffers and setbacks and things that I would be concerned about if I had a residence in that area.

#### **PUBLIC COMMENT:**

- Deidre Rosemond, 5565 SW 96<sup>th</sup> Place, Ocala FL 34476:
- Lives in Meadow Glen
- They told her that it was a retention area and that nothing would be built there. She just found out that it was zoned commercial.
- She is concerned about what will be built there. She does not want a storage areas. If it is a 24/7 storage site there will be people coming in and out all hours of the night. They are going to hear the traffic and noise. Security lights will shine into their homes.
- What else could go back there? She would prefer homes or medical buildings that are open Monday-Friday 9-5- no weekends.
- Traffic is really bad on 49<sup>th</sup> and on 62 and 95. It is a nightmare in the morning, trying to get to and from work, kids going to school.
- She would prefer to not have a lot of buildings and to keep traffic down.

Christopher Dykstra, 5731 SW 98<sup>th</sup> Place, Ocala FL 34476:

- Lives in Meadow Glen
- The development should of happened a long time ago
- 95<sup>th</sup> avenue to the east has no traffic- it is all 62<sup>nd</sup> avenue from 200 into the neighborhoods because this feeds into Marion Oaks and everywhere else. They come down 95<sup>th</sup> and they hook down 49<sup>th</sup> which is a two lane road and it is wall to wall cars during rush hour and everything else.
- What he is proposing is just going to add to the problem.
- The applicant owns the neighborhood storage 2.4 miles away from this exact location.
- Put a church, put a school put something we need there. Not businesses.
- They have a low crime rate and all you are going to do is add more traffic and more problems.
- Elizabeth Allen, 9782 SW 57<sup>th</sup> Avenue, Ocala FL 34476:
- Lives in Meadow Glen
- Major concern is that the storage units will be in her back yard. She has young grandkids living with her. She feels they will not be safe to play in the back yard.
- With 24 hour access there will not be safe to walk their animals at night.
- There is a small street at the end of 57<sup>th</sup> avenue. There is a circle and then a small street. Will they be using that as a back access? This will lead directly into their gated community. They paid extra to live in a gated community. They are private streets. They are not owned or maintained by the county.

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Harry Mills, 5785 SW 98<sup>th</sup> Place, Ocala FL 34476:

- He bought his house in 2013. He was completely unaware that the subject property was zoned commercial.
- He agrees with everything that has already been said.
- It is not about the view. It is not about the cows. It is about what is going to go there and what it is going to bring to the community.
- His back yard abuts the subject property. If he did not have a fence that is all that he would see.
- He has small kids that play in the back yard. He has dogs.
- The last thing he wants is traffic at 2am in the morning.
- A church, small school or daycare would be better.
- Nelson Carbonell, 5839 SW 98<sup>th</sup> Place, Ocala FL 34476:
- His property will be right behind the storage unit.
- He agrees with everything that has been said.
- Concerned about traffic and safety and what it is going to do to the neighborhood.

Debbie Westerkon, 9565 SW 53<sup>rd</sup> Circle, Ocala FL 34476:

- She lives in Hardwood Trails which is a 55+ development
- Her property backs right up to the subject property
- How long before they develop?
- She agrees with everyone else

#### **REBUTTAL:**

Todd Rudniansyn, 2441 NE 3<sup>rd</sup> Street, Bldg. 201 Ocala FL 34470, the applicant:

- He really wish realtors would let people know what is going on. He understands that just as a person in the world you are not thinking let me look up the land use and zoning of a parcel that has cows on it adjacent to my home.
- LIGHTS in the self-storage: the way that these facilities are built and the conceptual for this one is that they would have a stockade wall adjacent to the homes. You will not be able to see any storage units. You would see a wall with landscaping outside of that wall. The wall would be the back of a 40 to 45 foot building. The closest person to your home would be 65 feet away. Any time they develop something next to a residential community that is how they approach it. On the northeast portion of the property those buildings get a little narrower, but for the majority of it, it is 45 feet deep. They try to keep all lights interior to the project. If there are lights on the exterior they are down lights.
- TRAFFIC: Self-storage is one of the lowest traffic generators.
- Someone said the development should have happened a long time ago. He promises you that the land owners wish it would have happened a long time ago. This developers' agreement was done in 2001. First plat in Meadow Glen was done in 2006. This land use has been there since Meadow Glen was developed. He does not know when Hardwood Trails was developed but it probably was around the same time.
- There is growth in the area. There are a lot of residential developments going on in the area. Development will occur. He agrees that the point that what is most adequate for the area in view of the residents is very important.
- There will be more traffic on 60<sup>th</sup> avenue. 49<sup>th</sup> avenue will continue to develop from Cross Roads Commerce Park all the way up to Heathbrook and eventually 326 and should alleviate traffic on 60<sup>th</sup> avenue for the residents Meadow Glen and Hardwood Trails.
- Elizabeth- storage units in the back yard. There will be no storage doors facing your back yard. If you are adjacent to the storage facility it will be a wall.
- 24 hour access. He cannot guarantee that neighborhood storage will run this facility forever, but their access is 6am to 10pm 365 day a year unless someone has a particular need. There are about 5% of their



customers who have a reason that they need 24 hour access. Mostly commercial small businesses in the area.

- Access from Meadow Glen to the storage facility. There will be no direct access from Meadow Glen to the storage facility. The idea is for Meadow Glen to have access to the commercial area so that they do not have to go out onto 60<sup>th</sup> avenue to get some of the amenities that these commercial elements will offer them in the future.
- Harry- He is sorry that you were not aware that this was land use and zoned commercial at the time. He wish there was some kind of mechanism for people to be alerted to that. Your back yard will have a buffer and then a wall if you are adjacent to the storage facility.
- Nelson- Commercial activities will eventually develop on these parcels regardless of whether or not this developers' agreement is terminated. It is going to attract people but it is going to alleviate overall traffic within the community because it will keep everyone in this neighborhood utilizing local amenities.
- Debbie- He does not know how long it will be before the entirety of the commercial area will be developed but he can tell you that intent of the self-storage facility is to occur within the next 12 to 24 months.
- PUBLIC COMMENT CLOSED

#### Planning and Zoning Commission Recommendation

Motion was made by Jerry Lourenco seconded by Michael Behar to agree with staff's findings and recommendation, and recommend approval of the requested Development Agreement Termination based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

#### **The Motion passed 5 to 0**

**14. 210401Z**– HTM Developers, LLC, Matthew Fabian, 4349 SE 20<sup>th</sup> Street, Ocala FL 34471, request a zoning change, articles 2 and 4 of the Marion County Land Development Code, from R-1 (Single Family Dwelling) to PUD (Planned Unit Development) for the intended use of a residential subdivision, (Deer Path North- Phase 2, on approximately 33.99 acres on parcel account no. 31865-000-00.

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 81= 0%

- Joanna Coutu, Growth Services, presented this request:
- This is an application to change from R-1 to PUD for approximately 34 acres.
- The applicant would like to add a few lots to the request.
- The request was for 127 single family lots – on two different size lots
- This is called Deer Path North – Phase 2
- The entrance will be on SE 66<sup>th</sup> Terrace through the Deer Path Subdivision
- The existing Deer Path South has 50 and 85 foot lots. They are proposing 50 foot lots (some 115 feet deep and some at 125 feet deep)
- They are proposing 35 foot wide roadways. Engineering has commented with a concern about that.
- They are also not meeting their open space requirement. They are required to have 20% and are proposing 18.9 %. This is vacant land and they should be able to meet the 20%.



David Tillman, Tillman & Associates Engineering, 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471, represented the applicant:

- He pulled this from consent today because they wanted to have a maximum approval for up to 135 units rather than the 127 that is shown on the concept plan. They are seeing that they are going to be able to eliminate one of the smaller DRAs that are on this site to allow them to add additional units and also potentially be able to meet the full 20% open space requirement.
- They do not want to comply with condition #7 of the 50 foot road right of way. They have done a multitude of these projects with a 30 foot road right of way and we have not had any trouble.

**PUBLIC COMMENT:**

- Charlie Meuse, 6730 SE 1<sup>st</sup> Street, Ocala FL 34472:
- His main concern was what was going to be put back there. He did not know until he got the notice in the mail and people have been in the back of his house doing a lot of noisy work. After 7 years of living there they are going to be losing their forest view. At the time they bought the house they were told that nothing would be developed back there. His main concern is what his view will be. Will it lower the property values? Where are the entrances and exits going to be?

**REBUTTAL:**

David Tillman, Tillman & Associates Engineering, 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471, represented the applicant:

- If he lives on the cul-de-sac he will be adjacent to a DRA.
- The primary entrée way in and out is going to be to the south through Deer Path North. The only access through their subdivision is a stabilized emergency access that would only be opened up if for some reason the primary access was blocked.
- PUBLIC COMMENT CLOSED

Tracy Straub, County Engineer:

- Mr. Tillman is correct. On these private neighborhoods there have been several that have been previously done as 30 feet instead of 50 feet. He has had to tweak a few things to make some of the utilities fit. The county code is 50 feet with 5 feet easements but he has been doing the 30 feet with 10 feet easements. That is a traditional old fashioned right of way.

Planning and Zoning Commission Recommendation

Motion was made Michael Kroitor seconded by Michael Behar to agree with staff's findings and recommendation, and recommend approval of the requested zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

**The Motion passed 5 to 0 (maximum of 135 units and a 30 foot right of way with 10 foot easements)**

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**15. 210402Z-** George Debenedicty and Adrian Bell III, 5685 W. Highway 40, Ocala FL 34482, request a zoning change, articles 2 and 4 of the Marion County Land Development Code, from A-1 (General Agriculture) to PUD (Planned Unit Development) for residential use on approximately 59.11 acres, on parcel account no. 21615-000-00.

WRITTEN OPPOSITION WITHIN 300 FEET 9 of 22= 41%

- Kim Dinkins, Growth Services, presented this request:
- This area is almost completely raw land. No developments to the north, south or west at this time.
- It is surrounded by and includes a medium density residential area. It benefitted from the 2013 administrative future land use amendment. This used to be rural lands and it was intensified to the medium density residential.
- Two different concept plans were submitted. One concept plan shows 201 units and the second concept plan shows 207 units. So we are looking at a maximum of 207 units being requested with 4 different lot sizes. Lot sizes range from 55 feet wide to 30 feet wide and a depth of 110 to 120.
- Staff would like to see more enhanced amenities for some of the newer developments that are coming in. We have a lot of developments that use our standard formula for R-1 zoning. Those a lot of times end up to be antiquated subdivisions that don't necessarily have the necessary utilities or amenities that folks want. The PUD is a great concept for the area.
- PUD is an appropriate zoning designation for this area. However, the proposed plan does not meet minimum comprehensive plan or land development code standards.
- TRAFFIC- one access point shown
  - o Transportation Element Policy 2.2.3 and Objective 2.3. - County shall discourage single access residential development, "requiring connection to existing and future development where opportunities for connectivity exist."
  - o LDC Sec. 6.11.4. Residential development with more than 50 developable lots shall have at a minimum, 2 access points.
- OPEN SPACE- 11.7 acres required – 7.1 acres provided = 4.6 acres needed (40% deficiency).
  - o LDC Sec. 4.2.31 minimum of 20% open space shall be provided based on the gross land area.
- Staff recommends DENIAL – Applicant to provide a concept plan that meets minimum standards of the Comprehensive plan and LDC.
- Applicant provided a revised concept plan on 3/29/21. Staff would consider a recommendation for a continuance of one month to review the new plans.
- This development is setting the president for the whole entire area. There are no other developments in the area.

David Tillman, Tillman & Associates Engineering, 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471, represented the applicant:

- They have discussed with the County Engineer a secondary access point which would require an easement from the county for them to make through the very north portion of the project. To access NW 60<sup>th</sup>. They asked that they be approved today with the condition that they would have to add a secondary access.
- He did not know that he was up for denial until this morning. They had put together a secondary drawing that shows all of the open space and how it is being met. They turned it in this afternoon and he understands that she would not have had time to look it over.
- In the new plan they are providing 12.29 acres of open space. This includes the buffers and 25% of the DRA area. So they do meet the open space criteria.
- They have no issue with providing the buffer along state route 60. They provided the space for it but we did not call it out specifically. They had intended to have a buffer there adjacent to NW 60<sup>th</sup>.
- They are providing both regular open space and a club house space for active open space as well.



- He feels like he has met all of the conditions that are required for this PUD. He has no issues with the alternative approval development conditions.

#### **PUBLIC COMMENT:**

- Hale Stancil, 2750 NW 72<sup>nd</sup> Avenue, Ocala FL 34482:
- Lived on this property all his life (75 years)
- His mother came her in 1919 and grew up on that property. Her and her family owned a lot of it.
- They have a farm that has been operating since 1919.
- This request is right in the middle of it and would completely change the character of the neighborhood and all the property there.
- They own property south, north and west of this.
- He knows for a fact that there was a cemetery there right south of the retention pond. He can remember people being buried there in 1950s. The people that bought the property destroyed the grave markers.

#### **REBUTTAL:**

David Tillman, Tillman & Associates Engineering, 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471, represented the applicant:

- If you look at the boundaries around this project you will see a Type E buffer adjacent to agricultural. We have provide more buffer than is required all around the property to try to create some separation in between agriculture use and this residential use.
- They do have a user that intends to move forward with this development of the project upon approval.
- PUBLIC COMMENT CLOSED

#### Planning and Zoning Commission Recommendation

Motion was made by Michael Kroitor seconded by Michael Behar to agree with staff's findings and recommendation, and recommend denial of the requested zoning change based on the following findings of fact:

1. Will adversely affect the public interest
2. Is not consistent with the Marion County Comprehensive Plan
3. Is not compatible with the surrounding land uses

**The Motion passed 3 to 2 with Jerry Lourenco and Greg Lord dissenting**

**16. 210403Z**– Nick Pucek, 7097 SE 12<sup>th</sup> Circle, Ocala FL 34480, requests a reactivation and modification of Zoning change #090405Z, articles 2 and 4 of the Marion County Land Development Code, from an expired PUD (Planned Unit Development) to PUD (Planned Unit Development) on approximately 75.99 acres, on parcel account nos. 45446-000-00, 45446-002-00 and 45446-002-01.

WRITTEN OPPOSITION WITHIN 300 FEET 1 of 32= 3%

- Ken Weyrauch, Growth Services, presented this request:
- Request from Planned Unit Development (Commercial, Industrial and Office) to Planned Unit Development (680 multifamily units and 25+ acres of commercial)
- The subject property is 81.55 acres and is located at the intersection of Hwy. 441 and SE 132<sup>nd</sup> street road.
- The land use is employment center which allows for 0 to 16 dwelling units per acre. The zoning is expired PUD.



# Renderings

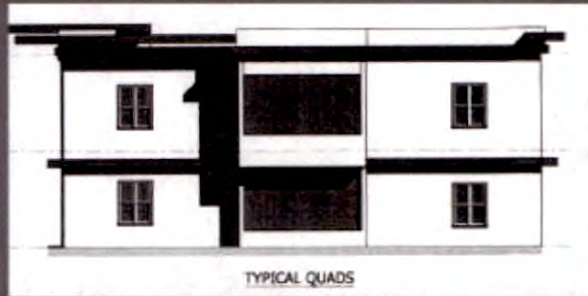
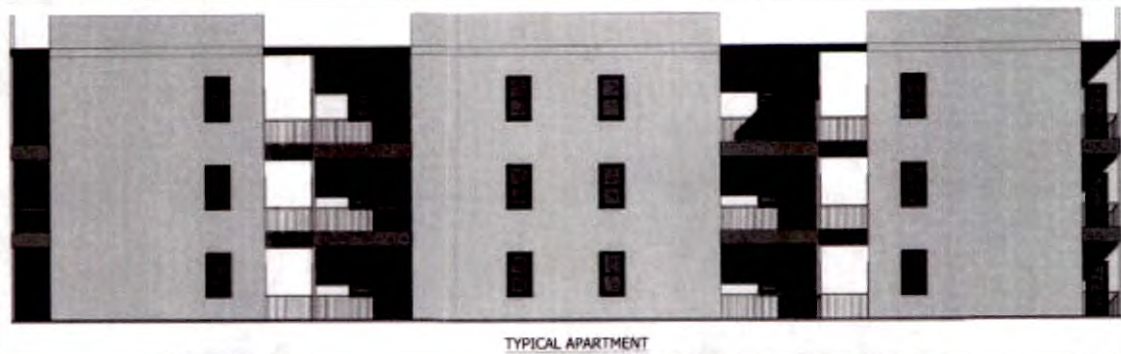


TABLE 1: PROPOSED DEVELOPMENT STANDARDS

LAND USE	MINIMUM SETBACKS			MAX HEIGHT
	FRONT	REAR	SIDE/ SIDE YARD	
COMMERCIAL	40'	25'	10'/15'	50'
QUADS / APARTMENT	15'	15'	15' / 30'	50'

## - Staff concerns:

- Traffic Study: The existing traffic study is outdated (2005) and the proposed use is different than the original PUD. Did not include SE 135<sup>th</sup> Street.
- Parallel access is not shown on concept plan.
- Sidewalks/Internal Circulation (required internally and along the ROW)
- Recreational Space
  - No active recreational space proposed
  - No parks within 2 mile of site. Residents would have to cross or travel HWY 441 or HWY 301 to reach a recreational area.
- Buffers
  - PUD proposes fences where walls are required by the LDC.
  - Southern lot is required to have a 50' buffer strip with the existing tree lines filled with supplemental trees along the boundaries to the east and south of the subject property. PUD proposes an A-Type Buffer (30' wide, 3 shade trees, 5 ornamental trees per 100')

David Tillman, Tillman & Associates Engineering, 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471, represented the applicant:

- The major changes from the expired PUD to this one is the conversion from a large portion of that area that was industrial and office space is now residential. The developer is looking to do what is now a primarily residential project. A multi-family type project with the commercial out on 441.
- It is somewhat of a down scale in zoning and the intensity of the project is the way they look at it.
- They do plan on having internal recreational facilities and amenities for the people that live in the complex.



**PUBLIC COMMENT:**

Pastor Danny McCullough, 6942 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- Lived there since 1985
- Everyone on this road has 3 to 5 acres
- They bought there for privacy and having cows and horses and goats
- This project effects everyone on 135<sup>th</sup> Street
- When this property was bought it was agricultural land
- All the land around there is country
- It is a two lane road
- Station 30 is at the end of the road
- Concerned about the traffic
- Infrastructure is not there
- This is not a city; We do not want that on this road

Dan Gentry, 7101 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- Been there since 1986
- Same concerns – traffic
- access- an additional 400 people with one access
- the other side of the bypass is fine

Yvonne Jenners, 7299 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- Agrees with what everyone has said
- The reason the original PUD was not developed is that this road will not hold those kind of trucks or traffic. It is a twisty, windy road that is 35 mph. The road is skinny. You cannot access it from the other end 132<sup>nd</sup> street road.

Amanda Martin, 6919 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- She was born here. She is a third generation Floridian
- There is a wetland that is not being represented on 135<sup>th</sup>.
- Concerned about traffic
- Has no problem with the other side
- There are railroad tracks
- The fire department has a Helipad on it

Jeff Jenners, 7299 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- His property borders the subject property
- There is not even a shoulder on this road – it is a small scenic road – 35mph
- Every residence on this street is a single family home
- There are no complexes here
- The added traffic on the road will be an issue
- What will they be doing for sewer and water?
- Concerned about the aquifer

Subhas Dhanpat, 7055 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- Concerned about wetland
- Concerned about traffic safety
- Agrees with what everyone else says
- Betty Swearingen, 7230 SE 135<sup>th</sup> Street, Summerfield FL 34491:
- she agrees with everyone
- her and her husband's family go back to the 1500s on that property
- Her children have all moved onto the farm with her
- She owns the wetlands they are talking about



- When she first moved there it was a lake
- She cannot develop it or use it because it is a wetland
- This will be an abomination to their way of life
- She is a real estate appraiser and she knows that she could never sell these farms for what they are worth after the apartments are built

Donna Hickman, 7396 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- She is also representing her mother Ann Kotek who lives at 7390 SE 135<sup>th</sup> Street
- Her property is directly across from the subject property
- They have a small farm with chickens, goats, horses and cows
- Has no problem with them developing the other side
- This request is a total contradiction to what this area actually is
- Sewer, Water, Police, Fire Department?
- Influx of people is going to increase noise pollution, lower property values, increase crime
- They have been there since 1976 on the same five acres

Sherry Thorensen, 7240 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- She agrees with everything that has been said
- She wants everyone to come and look at where they live
- She understands growth but 135<sup>th</sup> Street is not the place for it

Mike Sisto, 7097 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- He has lived there for 26 years. He bought the property 30 years ago
- It was a dirt road when he bought it
- 135<sup>th</sup> Street is a mile and a half long
- He has raised his three children there. It is very quiet.
- Wants to raise his grandchildren here

Debbie Marino, 7264 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- She agrees with everything that has been said

Daniel Martin, 6919 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- This does not belong on 135<sup>th</sup> Street
- Has there been an environmental study on the wetlands in the area?
- The rendering looks like a jail

Karen Conroy, 7145 SE 135<sup>th</sup> Street, Summerfield FL 34491:

- She lives right across from the pond
- The street is beautiful
- She agrees with what everyone has already said

## **REBUTTAL:**

David Tillman, Tillman & Associates Engineering, 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471, represented the applicant:

- Most of the comments are what he had anticipated. Traffic and not wanting the change of use on the property.
- They are moving in there trying to down zone it from the industrial use to more of a residential use.
- If we can find other access other than 135<sup>th</sup> Street we would entertain that in order to help everyone that is on that roadway.
- As far as the architectural style of the buildings, this is a building that they have used in the past in other locations. He can talk to them about a modification to that. Try to come up with something that does fit that region a little better.



Tracy Straub, County Engineer: He will have to do an updated traffic study. That road is an old standard road. Normally we would look for right of way to be dedicated from his property but he does not have continued access to any major road network. It is a concern.

The types of uses in the originally PUD were much more intense traffic uses. This will reduce traffic volumes for sure. Back then we did not have 132<sup>nd</sup> Street so there has been a significant grade change at this location because of the railroad crossing. The original PUD required them to come to 132<sup>nd</sup> and not 135<sup>th</sup> we have not even analyzed that at all. IT is a concern.

They have been asked by the owner if they could look at facilitating a driveway access along 132<sup>nd</sup> street road. We would do that. We are not sure if it could be accommodated because of the railroad tracks but we would certainly look if that could be done.

**PUBLIC COMMENT CLOSED**

Planning and Zoning Commission Recommendation

Motion was made by Michael Behar seconded by Michael Kroitor to agree with staff's findings and recommendation, and recommend approval of the requested zoning change based on the following findings of fact:

1. Will adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

**The Motion passed 5 to 0 with no quadruplexes on the southern portion abutting 135<sup>th</sup> Street**

**MINUTES:**

Motion was made by Michael Kroitor, seconded by Andy Bonner to approve the minutes of the February 22, 2021 Planning & Zoning Commission meeting.

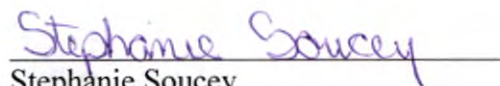
**The motion passed 5 to 0**

**ADJOURNMENT:**

The meeting adjourned at 7:35 PM

Attest:

  
Greg Lord, Chairman

  
Stephanie Soucey  
Administrative Staff Assistant