



Staff Report: Special Exception

SE24-0001

Board of Adjustment: November 18, 2024

Petitioner: Gala Bank, Inc.
Property Owner: Richard L. Williamson and DGBP Investments, LLC
Agent: Paolo Mastroserio, P.E., Mastroserio Engineering, Inc.
Project Planner: Kristina L. Wright, CNU-A, MAURP, FRA-RA
Applicant Request: Special Exception to allow a financial institution in B-1, Neighborhood Business.

Parcel Information

Acres: ±1.99 acres
Parcel(s) #: 22687-001-00 (0.99 acres) and 22686-000-00 (1.00 acre of a 25.79-acre parcel)
Location: A portion of 517 SW 27th Avenue along with the property located directly to the north
Existing Use: Parking
Future Land Use: Neighborhood
Zoning Designation: B-1, Neighborhood Business (City Council 2nd reading set for November 19, 2024). Currently zoned INST, Institutional, and R-2, Two-Family Residential.
Special District(s)/Plan(s): West Ocala Community Redevelopment Area
Approved Agreements(s): N/A

Figure 1. Aerial Location Map



Adjacent Property Information

Direction	Future Land Use	Zoning District	Current Use
North	Employment Center	M-1, Light Industrial	City electrical substation and undeveloped
East	Neighborhood	INST, Institutional	Mt. Moriah Missionary Baptist Church of Ocala, Inc.
South	Neighborhood	INST, Institutional	Daycare/DGBP Ocala Investments LLC
West	Employment Center	INST, Institutional	27 th Avenue Church of Christ

Applicant Request

The petitioner is requesting a Special Exception to allow for the commercial development of a financial institution within the B-1, Neighborhood Business District.

Background

Comprising approximately 1.99 acres; the subject property is generally located at the southwest corner of the intersection of SW 5th Street and SW 27th Avenue. Parcel 22687-001-00 is undeveloped and heavily wooded on the eastern two-thirds of the property.

Parcel 22686-000-00 is developed with a daycare use, originally constructed in 1995. A minor site plan was approved in 2014, which expanded the daycare by adding additional classroom buildings and associated paved parking to the site.

The subject properties lie within the West Ocala Vision and Community Plan (2011) area. The West Ocala Vision identified six districts; the subject property resides within the Neighborhoods District.

The surrounding area is characterized by an electric sub-station and vacant property to the north, a church currently under construction to the east, multi-family residential to the south, and mostly industrial uses to the west across SW 27th Avenue.

Staff Analysis

The current zoning of the subject property does not permit a financial institution use. The applicant has submitted a concurrent rezoning application to change the zoning on the subject properties from INST, Institutional and R-2, Two-Family Residential to B-1, Neighborhood Business. If approved, the proposed B-1 zoning would permit a financial institution use through approval of a Special Exception pursuant to Ocala Code of Ordinances Section 122-584(3)e. As a result, this Special Exception petition is being requested to permit the financial institution use on the subject properties (subject to the rezoning approval). The petitioner has provided a conceptual plan consistent with development standards contained under Ocala Code of Ordinances Sections 122-1010 (*Required number of spaces*), 122-1244 (*Minimum width and setback for specific streets*), and 122-286 (*Lot requirements*). The property is located within a Special Flood Hazard Area as

identified by the City of Ocala. This will require the applicant to coordinate with the Stormwater Engineering Department for any future approvals and development of the property.

The concept plan/sketch includes a phased development which includes, a modular building as the first phase and a permanent building with supporting parking and infrastructure as the final phase. A minor site plan is currently under review for the placement of a modular building to serve as the financial institution for customers during the design, review and construction phases of the final development. The petitioner will provide a landscaping plan and address all landscaping requirements at the site plan submittal stage. Non-residential development within B-1 zoning does not have specific setbacks. The proposed financial institution will share access from SW 27th Avenue with the adjoining daycare property to the south. Based on the use of the property, required parking is based on the formula of one (1) space for every 300 s.f. of floor area, which would require a minimum of 18 spaces. The proposed parking meets the requirement of Code Section 122-1010(a)(17) and will provide an excess of spaces. The proposed financial institution is approximately 5,280 square feet. The Petitioner has indicated that there will be approximately 30 parking spaces with 2 of those being ADA spaces.

Special Exception Standards for Approval (Section 122-73(5)):

In reaching its conclusion and in making the required findings, the Board of Adjustment shall consider and weigh the following factors and standards, among others, and shall show in its record these factors and the disposition made thereof. Further, the board shall find in the case of any of these factors and standards, that the purposes and requirements for granting the special exception have been met by the applicant. The required factors to be weighed are as follows:

- A. Ingress and egress to the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Staff Comment: Ingress/egress will be provided via a proposed shared access driveway SW 27th Avenue as indicated on the conceptual plan as well as the minor site plan currently under review.

- B. Off-street parking and loading areas, where required, including consideration of ingress and egress to the property, and the economic, noise, glare, or odor effects of the location of such off-street parking and loading areas on adjacent and nearby properties and properties generally in the district.

Staff Comment: Parking for the proposed financial institution will be provided per the Ocala Code of Ordinances Section 122-1010(a)(17) requires one parking spaces per each 300 square feet of floor area. The estimated square footage of the proposed financial institution is approximately 5,280 square feet, as such, 18 spaces are required. The conceptual plan indicates there will be 30 spaces, including 2 handicap spaces, which meets and exceeds the minimum required number of spaces and handicapped spaces required by Ocala Code of Ordinances Sections 122-1010 (a)(17) and 122-1015.

- C. Refuse and service areas, and how these areas correspond with both the off-street parking area, and the ingress and egress to the site.

Staff Comment: The Petitioner has indicated the location of the dumpster and will be required to screen and enclose the dumpster with concrete block masonry to match the proposed financial institution.

- D. Utilities, including such considerations as hook-in locations and availability and compatibility of utilities for the proposed use.

Staff Comment: Electric, Internet, Potable Water, and Sanitary Sewer utility services are available. Connections will be determined during the site plan review process.

- E. Screening and buffering, including consideration of such relevant factors as type, dimensions, and character to preserve and improve compatibility and harmony of use and structure between the proposed special exception and the uses and structures of adjacent and nearby properties and properties generally in the district.

Staff Comment: Sec. 122-260(c)(9) requires that a neighborhood business, institutional or office use or district abutting a less intensive use or district shall have a ten-foot-deep landscaped buffer area or a four-foot-deep landscaped buffer area combined with a stone, brick or concrete block wall. The abutting daycare is zoned INST and while the parcels share a driveway, the inclusion of the buffer or wall will ensure greater compatibility. Further, all off-street parking areas shall be screened from bordering streets with a minimum 5-foot-wide landscape buffer, consistent with Ocala Code of Ordinances Section 122-260(c)(2).

- F. Signs, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of signs and lighting on properties in the district and compatibility and harmony with other properties in the district.

Staff Comment: A sign location has not been indicated on the concept or minor site plan, any proposed signs and their locations will be reviewed during the site plan and building permit review stages. All signage must comply with Chapter 110, Ocala Code of Ordinances and will be reviewed under a separate sign permit.

- G. Required yards and open spaces.

Staff Comment: Non-residential development in B-1 has a 0-foot requirement for front, side, and rear yards. The conceptual plan depicts consistency with the building setback requirements. Section 122-1244 requires a minimum street width of 100-feet and minimum setback from street centerline of 70-feet for SW 27th Avenue.

- H. Height of structure where related to uses and structures on adjacent and nearby properties and properties generally in the district.

Staff Comment: Pursuant to Ocala Code of Ordinances Section 122-286, the maximum allowable height in B-1 is 35 feet, which will be addressed at the site plan review and approval stage. However, the petitioner has already indicated that this will be a single-story building to keep in character with the neighborhood business and surrounding residential properties.

- I. Economic effect on adjacent and nearby properties and properties generally in the district of the grant of the special exception.

Staff Comment: The proposed financial institution will create an improvement along SW 27th Avenue and SW 5th Street and within the West Ocala CRA, by activating an undeveloped lot.

- J. Visual, physical, and economic impact of the proposed project or use on a historically designated property and district.

Staff Comment: This site is not located within a designated historic district.

Staff Recommendation: Approval with Conditions

Proposed Conditions of Approval:

1. The Special Exception shall not be effective until completion of the rezoning request (ZON24-45815).
2. This Special Exception shall be granted for and run with the subject property located on the proposed property on parcels: 22714-000-00 and 22686-000-00, so long as the financial institution remains the primary use.
3. The site plan shall be consistent with the provided conceptual plan.
4. Minor Site Plan approval for the temporary modular building shall be obtained within six months of the effective date of the Special Exception.
5. Major Site plan approval shall be issued within 24 months of the effective date of this Special Exception or the Special Exception shall expire.
6. The temporary improvements (i.e. modular building, signage, parking, etc.) shall be allowed for a period of one year from the effective date of the Special Exception. However, upon approval of the major site plan, the temporary improvements shall be allowed to remain during the construction of the permanent improvements. All temporary improvements must be removed from the site upon either completion of the permanent improvements (certificate of occupancy) or the end of the one-year period.
7. Lots shall be combined through a lot reconfiguration request submitted to staff, which will require the creation of a new legal description to combine the reconfigured lots.
8. A sidewalk shall be installed along SW 5th Street at the time of the permanent building improvements.
9. The dumpster indicated on the conceptual plan must be screened. Screening shall be constructed of concrete masonry and match the primary building.
10. Freestanding signage shall be located only along SW 27th Avenue and be ground mounted with at least a 3-ft high base. Max overall height, including the base, shall be 20-ft. Digital signage shall not be permitted.