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May 17, 2023

VIA E-MAIL (PHitchcock@Ocalafl.org)

Ms. Patricia Z. Hitchcock, AICP
Planning Director
City of Ocala Growth Management Department
201 S.E. 3rd Street
2nd Floor
Ocala, FL 34471

Re: Case No. PD23-45144 (PD Rezoning and approval of PD Plan with Design Standards for West Oak Property)

Dear Patricia,

As you know, this firm represents Trademark Metals Recycling LLC ("TMR"), who owns and operates a metal recycling facility approximately 650 feet to the east of the West Oak PD. As you also know, TMR has expressed concerns with the lack of compatibility between TMR's industrial operations and the development that is proposed with the West Oak PD.

As further background, the West Oak PD is the subject of a PD rezoning initially approved by the City on February 2, 2021, pursuant to City Ordinance 2021-23, and a PD Plan with Design Standards approved on the same day pursuant to City Resolution 2021-11 (collectively, the "**Initial PD Approvals**"). On February 16, 2023, this firm sent a letter to the City notifying it of an apparent procedural defect associated with the Initial PD Approvals. Thereafter, the City filed an application (Case No. PD23-45144) for the purpose of re-approving the Initial PD Approvals in order to cure the apparent defect (the "**Corrected PD Approvals**"). City staff has confirmed that the Corrected PD Approvals will be identical to the Initial PD Approvals in substance (*e.g.*, same unit count, layout, etc.) and that the only difference between the two will merely be procedural in nature.

I am pleased to report that TMR recently entered into an agreement with the developer of the West Oak PD (West Oak Developers LLC) that addresses the concerns previously expressed by TMR. The agreement provides a mechanism to ensure that appropriate sound mitigation measures will be in place in a timely manner that are of mutual benefit to both TMR and the developer. Accordingly, the purpose of this letter is to advise the City that TMR withdraws its objections to the Initial PD Approvals and the Corrected PD Approvals and no longer opposes the same.

Ms. Patricia Hitchcock

May 17, 2023

Page 2

As always, your attention in this matter is appreciated. Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. Roper', with a long horizontal flourish extending to the right.

Christopher Paul Roper

cc: Mr. William Sexton, Esq. (via email)
Mr. Tye Chighizola (via email)
Mr. Tim Haines, Esq. (via email)
Mr. John Bianculli (via email)