



# Staff Report

Case No. ZON24-45670

Planning & Zoning Commission: July 8, 2024

City Council (1<sup>st</sup> Reading): August 6, 2024

City Council (Adoption): August 20, 2024

**Petitioner:** Ami DiLorenzo and Robert Cole

**Property Owner:** Ami DiLorenzo and Robert Cole

**Agent:** Rebecca Lorenz

**Project Planner:** Ngozi Ajufo, Planner I

**Applicant Request:** from: R-2, Two-Family Residential  
to: RO, Residential Office

Rezone the subject property from R-2, Two-Family Residential, to RO, Residential Office.

**Future Land Use:** Neighborhood

### Parcel Information

Acres: ±0.31 acres

Parcel(s)#: 2820-101-004

Location: 406 Southeast 8th Street

Existing use: Single-Family Residence

Overlay(s): Opportunity Zone

### Adjacent Property Information

| <b>Direction</b> | <b>Future Land Use</b> | <b>Zoning District</b>                                | <b>Current Use</b>  |
|------------------|------------------------|---|---|
| <b>North</b>     | Neighborhood           | Institution   | Eighth Street Elementary School   |
| <b>East</b>      | Neighborhood           | RO, Residential Office                                | Bello Midlevel Primary Care & Wellness Center                               |
| <b>South</b>     | Neighborhood           | R-2, Two-Family Residential                           | Single-Family Residence   |
| <b>West</b>      | Neighborhood           | R-2, Two-Family Residential<br>RO, Residential Office | Single-Family Residence<br>Professional Business - Think Technologies Group |

**Background**

The applicant has submitted this request to change the zoning on the property to allow for the ability to convert the existing single-family residence to a professional office. The subject property, identified by Parcel Number 2820-101-004, contains an approximate 0.31 acres, and is generally located at the southeast corner of the intersection SE Watula Avenue and SE 8<sup>th</sup> Street. The property is directly located south of the Ocala historic district. The property is located within the Opportunity zone overlay district with future land use designation neighborhood based on the Comprehensive Plan. The property does not meet the minimum 30,000-square-foot lot size requirement for rezoning per section 122-133(b)(1), however it does meet the exception for section 122-133(b)(2) which allows for the processing of the rezoning application.

The subject property is located in Caldwell's Addition Subdivision and is developed with 1,240 square foot single-family residence, constructed in 1928. In 2015, a previous property owner applied for a Preliminary Inspection Request to understand what renovations would be necessary prior to applying for a rezoning to RO.

The notable development around the corridor is the Lamplighter Legacy Apartment which is 300 feet west of the subject property. The intersection at Southeast 8th Street and 3rd Avenue was previously a signalized intersection but was converted to a four-way stop intersection as it did not meet the threshold for signalization.

**Existing and Proposed Development Standards**

|                 | <b>Future Land Use</b> | <b>Zoning District</b>               | <b>Intent and Purpose</b>  | <b>Minimum Lot Area (square feet)</b> | <b>Maximum Building Height (feet)</b> |
|-----------------|------------------------|--------------------------------------|--|---------------------------------------|---------------------------------------|
| <b>Existing</b> | Neighborhood           | R-2, Two-Family Residential District | The two-family residential (R-2) district is intended to be of similar residential character to the single-family districts, but also permits two-family dwellings and two dwellings on one lot. Section 122-331.              | 7,000                                 | 35                                    |
| <b>Proposed</b> | Neighborhood           | RO, Residential Office District      | The residential office (RO) district is intended primarily for professional and business offices. Development shall be subject to the limitations of section 122-375; however, overnight parking of business vehicles shall be | 12,500                                | 35                                    |

|  |  |  |   |  |  |
|--|--|--|---|--|--|
|  |  |  | restricted to automobiles and trucks of three-fourths ton or less. Section 122-372. |  |  |
| Neighborhood, future land use permits a maximum density of 5 units per acre for single-family and up to 12 units per acre for multifamily with 0.25 floor area ratio (FAR) |  |  |   |  |  |

**Staff Analysis**

The subject property is surrounded by RO, Residential Office, on the east (Think Technologies Group) and west (Bello Midlevel Primary Care & Wellness Center). The property to the north is Eighth Street Elementary School, and zoned Institutional. This area is characterized by a mixture of single-family dwellings to the south, professional and business office uses to the east, wellness center/medical office to the west and Marion County School board to the north. The subject property meets the minimum frontage requirement of 100-feet, and the minimum lot area requirement of 12,500 square feet and the maximum building coverage requirement of 30 percent as required by section 122-286.

The existing R-2, Two-Family, zoning classification and the proposed zoning classification RO, Residential Office, both allow for similar residential uses; however, the existing R-2 zoning does not allow for any commercial uses. A hairstyling shop is a permitted principal use in RO, pursuant to Section 122-373(3)(f). A hairstyling shop is defined in Section 122-3 as “an establishment engaged in furnishing hairstyling and related services to both male and female clients. These establishments are commonly known as barbershops and beauty shops. Related services may include manicure, pedicure, facial, hair removal or massage therapy services administered by a state licensed professional.” As the property has not previously been utilized for commercial uses, interior renovations will be required through a building permit process. A site plan would be required for administrative review and must be consistent with article IV of the City’s Code of Ordinance with regards to parking spaces and ADA accessibility pursuant to Section 122-378 of Ocala City of Ordinance; other applicable land development regulations also will apply.

The RO, Residential Office, zoning district is consistent with the existing neighborhood future land use classification, pursuant to section 122-244 of the Ocala Code of Ordinances. Adequate public facilities exist to service the existing development. Any substantial site alteration to the subject properties will be subject to a site plan review. The proposed zoning is compatible with the surrounding area.

***Factual Support***

1. The requested rezoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
  - a. Policy 6.4: Neighborhood The intent of the neighborhood category is to identify and reserve predominantly residential and ancillary uses. Existing street pattern, tree canopy cover, character, and residential occupancy shall be considered when designating areas with the neighborhood category. The form of buildings and development may be regulated by a Corridor Overlay. Residential is the primary use. Single family use is allowed based on Land Development Code, up to the maximum density permitted by the Comprehensive Plan. Multifamily uses shall be reviewed through the development process to determine

compatibility, with specific approval criteria being further defined in the Land Development Code.

- b. **Objective 12:** The Future Land Use Element shall require efficient use of existing services, facilities and infrastructure to discourage urban sprawl and promote a clustered urban development pattern.
    - i. **Policy 12.1:** The City shall require that all development have adequate services and facilities including water, roads, sewage collection and treatment, stormwater drainage, recreation and solid waste disposal, to the extent required by state law, other provisions of this Comprehensive Plan, or the City’s Land Development Code.
  - c. **Objective 14:** The City shall continue existing regulations or adopt new regulations to ensure that development is consistent with the Future Land Use Map and are compatible with neighboring development, available services and facilities, and topography and soil conditions.
2. The requested rezoning is consistent with the following Sections of the City of Ocala Code of Ordinances:
- a. **Section 122-133(b)(2):** The application requests to rezone parcel to the same zone zoning classification as an adjoining parcel not separated by a right-of-way for a street, a street, or a drainage retention area.
  - b. **Section 122-244 - District criteria:** Zoning districts allowed under each land use classification.
 

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|---------------------|--|
| <b>Neighborhood</b> | R-1, R-1A, R-1AA, R-2, R-3, RZL, RBH-1, RBH-2, RBH-3, OH, RO, B-1, B-1A, G-U, INST, A-1, PD, FBC |
|---------------------|--|
  - c. **Section 122-371:** The residential-office (RO) district is intended primarily for professional and business office uses that are not incompatible with adjacent residential zones. This district shall allow one- and two-family dwellings and professional and business offices.
3. Approval of this request will not adversely affect the health, safety, convenience, prosperity, or general welfare of the community.

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| <b>Staff Recommendation:</b> <i>Approval</i> |
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***Level of Service Impact Analysis***

**Transportation:** The subject property has approximately 104-feet of frontage along SE 8<sup>th</sup> Street which is approximately .04 miles east of the intersection of SE 8<sup>th</sup> Avenue and SE 3<sup>rd</sup> Avenue. The congestion management data from the Ocala-Marion TPO for the affected roadway is provided below. Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review.

| Road/Street Name | Lanes | Speed Limit | Functional Classification | Adopted LOS | LOS Capacity | 2021 AADT | Existing LOS |
|------------------|-------|-------------|---------------------------|-------------|--------------|-----------|--------------|
| SE 8th Street    | 2     | 30 MPH      | Collector                 | E           | 11,232       | 6,500     | C            |

**Electric:** The subject property is in the Ocala Electric service territory.

**Internet:** Service is available. A City fiber optic cable runs along NE 8<sup>th</sup> Road in front of the subject property.

**Potable Water:** Service is available. A City water main runs along SE 8<sup>th</sup> Street in front of the property. Connections will be determined during the site plan or subdivision review and approval process.

**Sanitary Sewer:** Service is available. A City gravity main runs along SE 8<sup>th</sup> Street in front of the property. Connections will be determined during the site plan or subdivision review and approval process.

**Stormwater:** The subject property is not located within a FEMA Flood Zone. For any future development, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-hour storm event.

**Solid Waste:** Service is available.

**Fire Service:** Ocala Fire Rescue Station #3 is located approximately .9 miles from the subject property at 406 SE 8th Street.

**Schools:** This rezoning is not anticipated to affect any school district.

**Permitted Uses Table:**

| <b>Permitted Use Type</b>    | <b>R-2 Two-Family Residential Zoning District</b>   | <b>RO, Residential Office Zoning District</b>   |
|------------------------------|---|---|
| <i>Residential Operation</i> | <ul style="list-style-type: none"> <li>• Community residential home</li> <li>• Home Occupation</li> <li>• Residence-gallery*</li> <li>• Residence-office*</li> <li>• Rooming/boarding house*</li> </ul> | <ul style="list-style-type: none"> <li>• Residence-gallery*</li> <li>• Residence-office*</li> <li>• Rooming/boarding house*</li> </ul>  |
| <i>Residential Type</i>      | <ul style="list-style-type: none"> <li>• Single-Family dwelling</li> <li>• Two-Family dwelling</li> </ul>   | <ul style="list-style-type: none"> <li>• Single-family dwelling</li> <li>• Two-family dwelling</li> </ul>   |
| <i>Business Service</i>      | <ul style="list-style-type: none"> <li>• Parking lot*</li> </ul>  | None Permitted  |
| <i>Office Use</i>            | None Permitted  | <ul style="list-style-type: none"> <li>• Professional and business office use</li> <li>•</li> </ul>   |
| <i>Personal Service</i>      | None Permitted  | <ul style="list-style-type: none"> <li>• Hair stylist shop</li> </ul>   |
| <i>Vehicular Service</i>     |   |   |
| <i>Community Service</i>     | <ul style="list-style-type: none"> <li>• Church/place of worship*</li> <li>• Day care facility*</li> </ul>  | None permitted  |
| <i>Public Use</i>            | <ul style="list-style-type: none"> <li>• Park/open space area*</li> </ul>   | None permitted  |
| <i>Health Care Use</i>       | <ul style="list-style-type: none"> <li>• Assisted Living*</li> </ul>  | <ul style="list-style-type: none"> <li>• Medical and dental office on major and minor arterials</li> <li>• Medical and dental office on local and collector streets*</li> </ul> |

\*Permitted by Special Exception