



Board of Adjustment  
July 15, 2019  
Case No. SE19-0004  
Planning Comments (Exhibit A)

**Applicant:** Ashcroft Properties, Inc.  
**Property Owner:** Ashcroft Properties, Inc. and Avalon Condominium Units Association, Inc.  
**Agent:** Lisa M. Ashcroft  
**Project Planner:** Patricia Z. Hitchcock, AICP  
**Request:** Special Exception to allow multifamily dwellings in the B-4, General Business zone.

#### Parcel Information

Location: 3415 West Anthony Road  
Acres: 7.14 acres  
Parcel#: 25226-008-02  
Land Use: Low Intensity  
Zoning: B-4, General Business  
Existing use: Partially developed Avalon condominium community

#### Adjacent Land

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Low Intensity	B-4	Gas station/convenience store
East	Neighborhood	R-3	Single family residential
South	Low Intensity	B-4	Undeveloped, power line easement
West	Low Intensity	B-4	Shopping center

**Staff Recommendation:** Approval of SE19-0004 with condition

#### Basis:

Approval of the special exception with condition is recommended to allow completion of the partially developed community. The development meets the standards for approval of a special exception pursuant to Ocala Code of Ordinances Section 122-73(5).

#### Background:

A Special Exception (SE04-0004) for development of fifty (50) multifamily units in the B-4 zoning district was approved for the subject property in May 24, 2004. The approval was subject to:

1. The plan submitted for site plan approval must be substantially the same (access location, number of units, open space, layout, etc.) as the sketch plan considered at the May 17, 2004 BOA meeting.
2. Not more than 50 residential units shall be developed.
3. Condominium units shall be a minimum 1,500 square feet of living area.
4. The development and units shall be established as Condominium ownership.

Construction was required to commence within six months of board approval and be completed within one year or the Special Exception would expire. Only 20 units and the pool recreation area

were completed. The roads and other infrastructure to support construction of the remaining 30 units exist.

**Current Request:** The request before the board is for approval of a Special Exception to allow construction of multifamily units in the B-4 zone. Essentially, this is a re-approval to allow completion of a partially constructed residential project. The applicant proposes modifications to the originally approved plan:

1. Reduction in the number of total units from 50 to 41. The reduction occurs because:
  - a. The two story building next to the pool area will be reduced to one story with four units rather than eight units.
  - b. The long building that contained ten units will be broken into two smaller buildings each with only four units.
  - c. The long building that contained twelve units will be broken into two smaller buildings, one with four units and one with five units.
2. Allow the condominium units to be a minimum 1,300 square feet of living area.

The changes in the site plan will not exceed the original building foot print and may be approved through the minor site plan review process.

**Ocala Code of Ordinance information:**

Special exception<sup>1</sup> definition: a use that would not be appropriate generally or without restriction throughout a zoning division or district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the health, safety, welfare, morals, order, comfort, convenience, prosperity or general welfare.

Special Exception Standards for Approval (Section 122-73(5))<sup>2</sup>:

The Code states that the Board of Adjustment, in reaching its conclusion and in making the required findings, 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.  
*Ingress/egress to the property will be as existing from NW Anthony Road.*
- 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.  
*Ingress/egress to the property will be as existing from NW Anthony Road.*
- 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.  
*A dumpster pad is existing.*

- d. Utilities, including such considerations as hook-in locations and availability and compatibility of utilities for the proposed use.  
*Water and sewer service is existing*
- 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.  
*Required buffering on the eastern and southern property boundary will be addressed at the time of minor site plan review and approval.*
- 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.  
*No additional signage is proposed.*
- g. Required yards and open spaces.  
*Development of the property will be required to comply with all required yards and open spaces as part of minor site plan approval.*
- h. Height of structure where related to uses and structures on adjacent and nearby properties and properties generally in the district.  
*The proposed one story buildings are consistent and compatible with the existing buildings in the development and compatible with the surrounding area.*
- i. Economic effect on adjacent and nearby properties and properties generally in the district of the grant of the special exception.  
*Completion of the project will not have a negative impact on the Avalon community and surrounding area.*
- j. Visual, physical and economic impact of the proposed project or use on a historically designated property and district. *N/A*

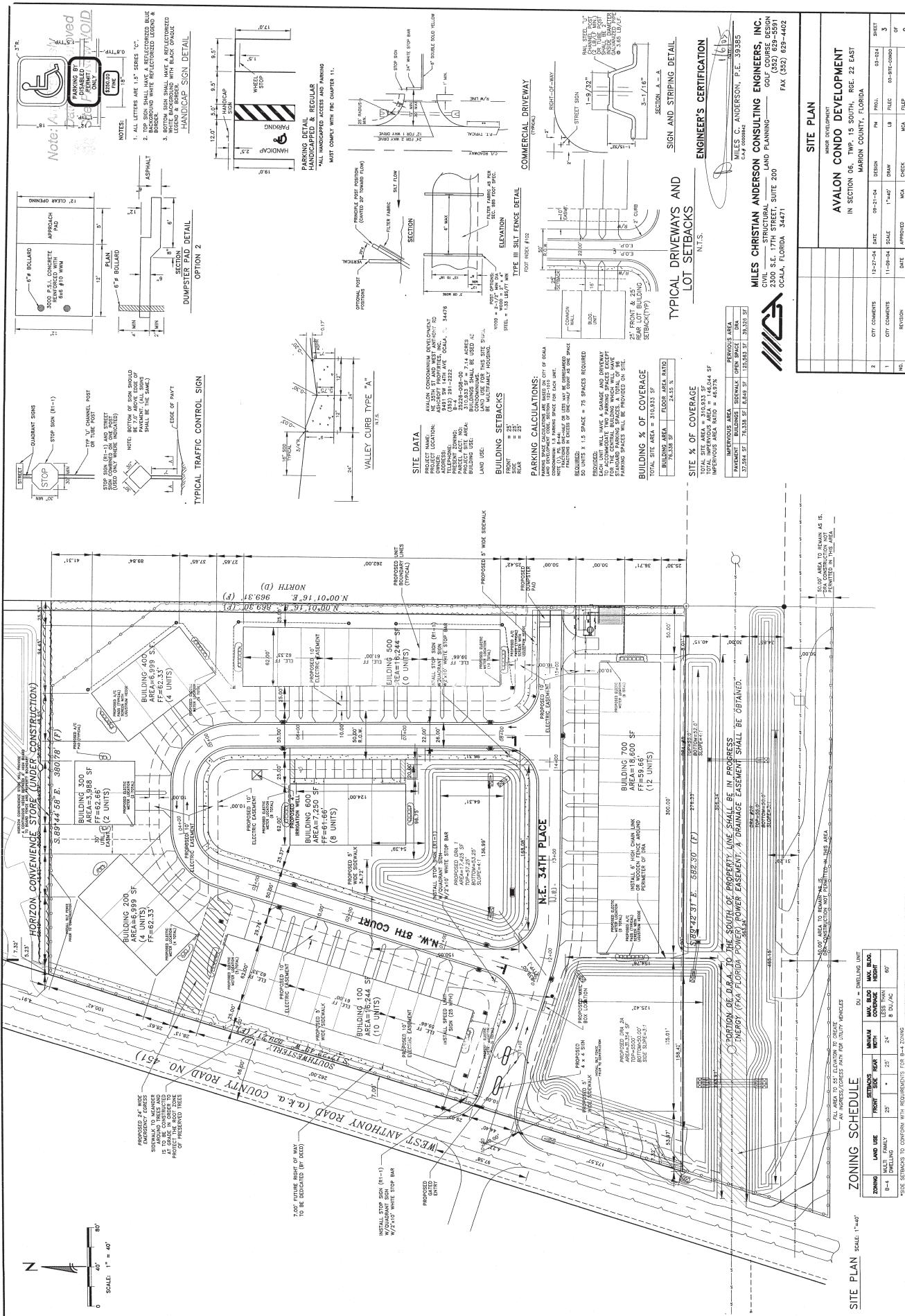
**Recommended Conditions of Approval:**

1. Approval for the changes to the site plan shall be obtained within two years from approval of the Special Exception or the Special Exception shall expire.

---

1 Ocala Code of Ordinances, Sec. 122-72. Special exception definition

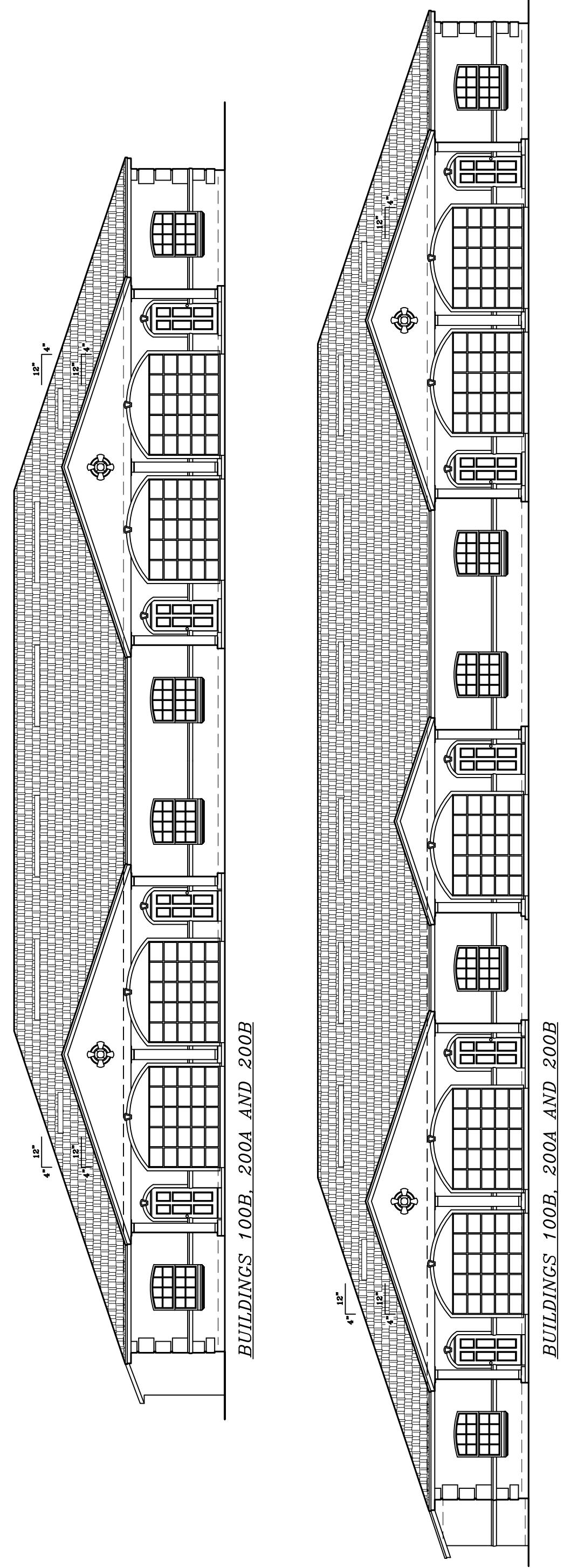
2 Ocala Code of Ordinances, Sec. 122-73, Procedure and standards for special exception approval.



# AVALON DEVELOPMENT

OCALA FLORIDA

## MINOR SITE PLAN FOR BUILDINGS #100A, 100B, 200A AND 200B



WATER FLOW  
DIRECTION ARROW = W

### FIRM INFORMATION:

THIS SITE IS LOCATED IN A SPECIAL FLOOD HAZARD AREA (SFHA) IDENTIFIED BY FEMA. THE PROPERTY LIES WITHIN FLOOD ZONE "X," AN AREA OF MINIMAL FLOODING, AND IN FLOOD ZONE "AE," AN AREA OF 100-YEAR FLOOD WITH A BASE FLOOD ELEVATION (BFE) OF 56.9 FEET. THIS INFORMATION IS BASED ON THE FLOOD INSURANCE RATE MAP (FIRM), FOUND IN COMMUNITY PANEL NUMBER 12083CU507D, EFFECTIVE AUGUST 28, 2008.

### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### SET BACKS:

FRONT - 25'+0" RIGHT OF WAY DEED  
SIDES - 25'  
REAR - 25'

#### RISER ROOM NOTE:

RISER ROOM TO BE CONNECTED TO POOL HOUSE PANEL

#### PRE-CONSTRUCTION NOTE:

NO SITE WORK SHALL BE CONDUCTED PRIOR TO OBTAINING A SITE PERMIT FROM THE CITY OF Ocala GROWTH MANAGEMENT DEPARTMENT @ 352-628-6210 TO SCHEDULE THE PRE-CONSTRUCTION MEETING WHICH MUST BE HELD BEFORE INSTALLING ANY REQUIRED EROSION CONTROLS OR OBTAIN ANY SITE PERMITS. LDR 102-312, 102-217 (3) (CC), 118-35 (9).

#### BUILDING & DRIVEWAY IMPERVIOUS COVER

BUILDING AND DRIVEWAY AREA DIFFERENCE: 2004 (SP05-003) PERMITTED DRIVEWAY AND BUILDING AREAS LESS NEW BUILDING AND DRIVEWAY AREAS EQUALS: 45,100.74 SF = 39,547.71 SF THE NEW BUILDING AND DRIVEWAY ACCUMULATIVE AREA DESIGN IS 5,553.73 SF SMALLER THAN PERMITTED IN 2004.

#### SITE GRADING NOTE TO SITE CONTRACTOR:

AREA GRADES BETWEEN BUILDING 100A AND DRA SHALL BE GRADED FROM 55.00' @ DRA TOP EDGE TO 59.00' AT BUILDING EDGE. STORM RUNOFF FROM THE PROJECT AREA SHALL SHEET FLOW TO THE PAVEMENT NORTH OF BUILDING, AND SOUTH TO DRA #3 AND WEST TO DRA#2A. PAVEMENT RUNOFF IS COLLECTED BY EXISTING STORM STRUCTURES AND DISCHARGED TO DRA#1 THEN TO DRA#2A SERVING THIS WATERSHED.

#### LANDSCAPE OPEN SPACE:

REQUIRED: 12% OF SITE LESS THAN 25,000 SQ. FT.  
15% OF SITES 25,000 SQ. FT. TO 1.0 AC'S  
20% OF SITES 1.0 AC'S AND LARGER  
SITE AREA = 31,016.4 SQ. FT. (7.14 AC'S)  
REQUIRED OPEN SPACE = 62,205.7 SQ. FT. (1.43 AC'S)  
OPEN SPACE PROVIDED = 125,407.62 SQ. FT. (2.88 AC'S)

#### TRANSFORMER

F495C: FOR TEMP. POWER MAY NEED TO UPGRADE TX WHEN THE CITY RECEIVES THE LOAD DATA SHEET FOR NEW BUILDING.

#### ADDRESS:

THE ADDRESS WILL BE VERIFIED AT THE PERMITTING STAGE AND INDIVIDUAL TOWNHOUSE WILL BE ISSUED UNIT NUMBERS AT THAT TIME OF PERMITTING.

#### ENGINEER'S CERTIFICATION:

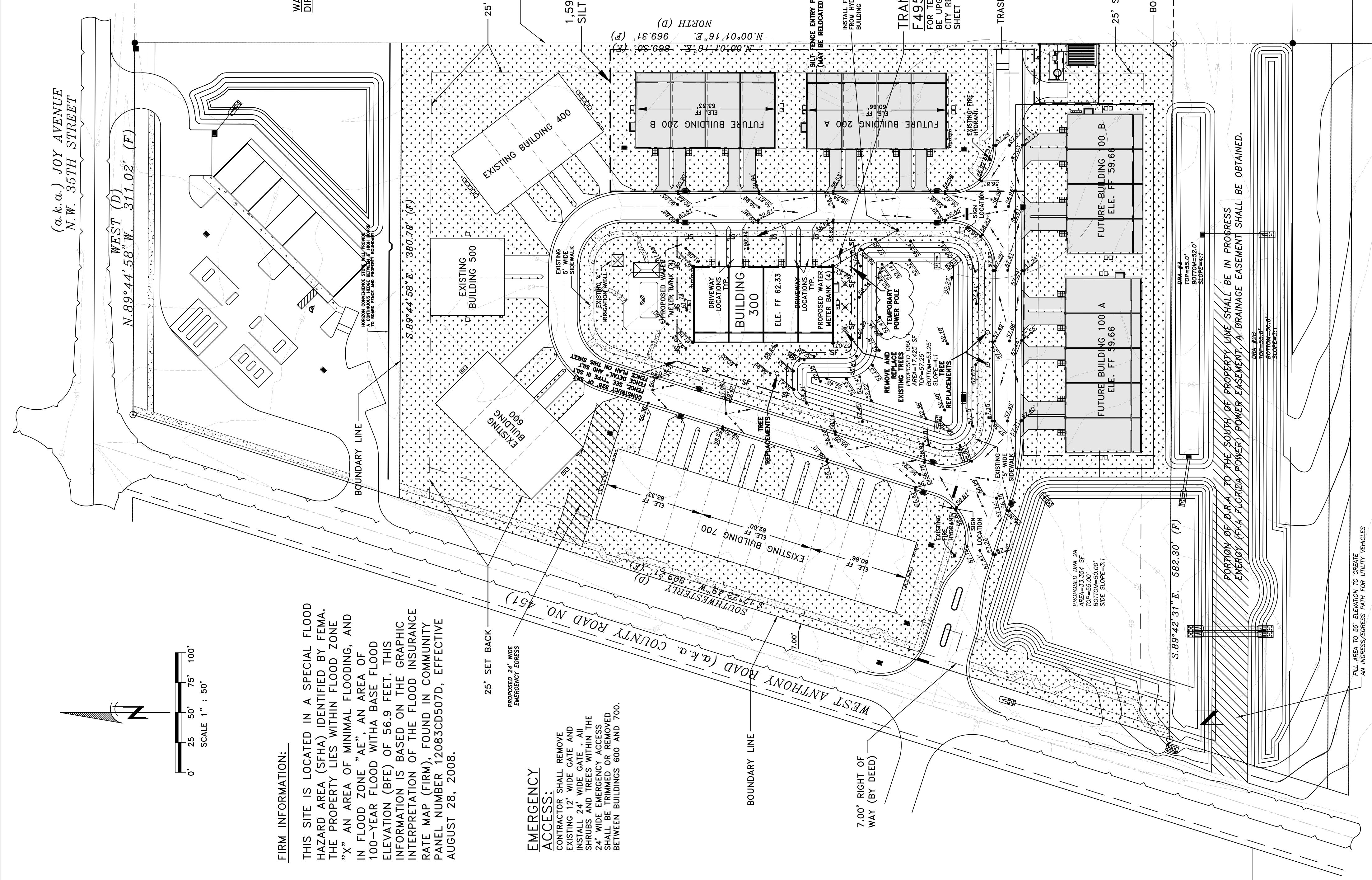
I HEREBY CERTIFY THAT THE DRAINAGE FACILITIES ARE DESIGNED IN ACCORDANCE WITH APPLICABLE REQUIREMENTS OF THE CITY OF OCALA LAND DEVELOPMENT REGULATIONS THAT THE ADJACENT PROPERTIES WILL BE PROVIDED DRAINAGE TO THE PROPERTY LINE, A RESIDENTIAL DRAINAGE SYSTEM IS PROVIDED, AND THAT THE APPROPRIATE APPLICATIONS HAVE BEEN SUBMITTED TO THE S.W.F.W.M.D.

#### PERMITTED DRIVEWAYS

NEW DRIVEWAYS AND BUILDING 200A AND BUILDING 200B DESIGN: 20,992.92 SF  
2008 DESIGN: 18,646.73 SF  
DIFFERENCE FROM PERMITTED = 2,345.19 SQ. FT. SMALLER

#### PERMITTED DRIVEWAYS

NEW DRIVEWAYS AND BUILDING 200A AND BUILDING 200B DESIGN: 20,992.92 SF  
2008 DESIGN: 18,646.73 SF  
DIFFERENCE FROM PERMITTED = 2,345.19 SQ. FT. SMALLER



### FIRM INFORMATION:

THIS SITE IS LOCATED IN A SPECIAL FLOOD HAZARD AREA (SFHA) IDENTIFIED BY FEMA. THE PROPERTY LIES WITHIN FLOOD ZONE "X," AN AREA OF MINIMAL FLOODING, AND IN FLOOD ZONE "AE," AN AREA OF 100-YEAR FLOOD WITH A BASE FLOOD ELEVATION (BFE) OF 56.9 FEET. THIS INFORMATION IS BASED ON THE FLOOD INSURANCE RATE MAP (FIRM), FOUND IN COMMUNITY PANEL NUMBER 12083CU507D, EFFECTIVE AUGUST 28, 2008.

### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

#### EMERGENCY

#### ACCESS:

CONTRACTOR SHALL REMOVE EXISTING SWID GATE AND INSULATE 24" WIDE EMERGENCY ACCESS SWID. 24" WIDE EMERGENCY ACCESS SHALL BE TOWARD OR AWAY FROM BUILDINGS 600 AND 700.

FULL AREA TO SET ELEVATION TO CREATE AN ADDRESS/ACCESS PATH FOR UTILITY VEHICLES

MILES C. ANDERSON PE  
2008 DESIGN:  
18,646.73 SF  
DIFFERENCE FROM  
PERMITTED = 2,345.19  
SQ. FT. SMALLER

MILES C. ANDERSON PE  
2008 DESIGN:  
18,646.73 SF  
DIFFERENCE FROM  
PERMITTED = 2,345.19  
SQ. FT. SMALLER

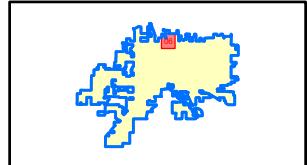
SHEET CO01

## **SPECIAL EXCEPTION CASE MAP**

**BOA MEETING: 7/15/2019**

**CASE NUMBER:** SE19-0004  
**PARCEL NUMBER:** 25226-008-02  
**PROPERTY SIZE** APPROX. 7.14 ACRES  
**EXISTING LANDUSE:** LOW INTENSITY  
**PROPOSED:** REQUEST FOR A SPECIAL EXCEPTION TO ALLOW  
MULTI-FAMILY IN A B-4, GENERAL BUSINESS ZONE

## LOCATION MAP

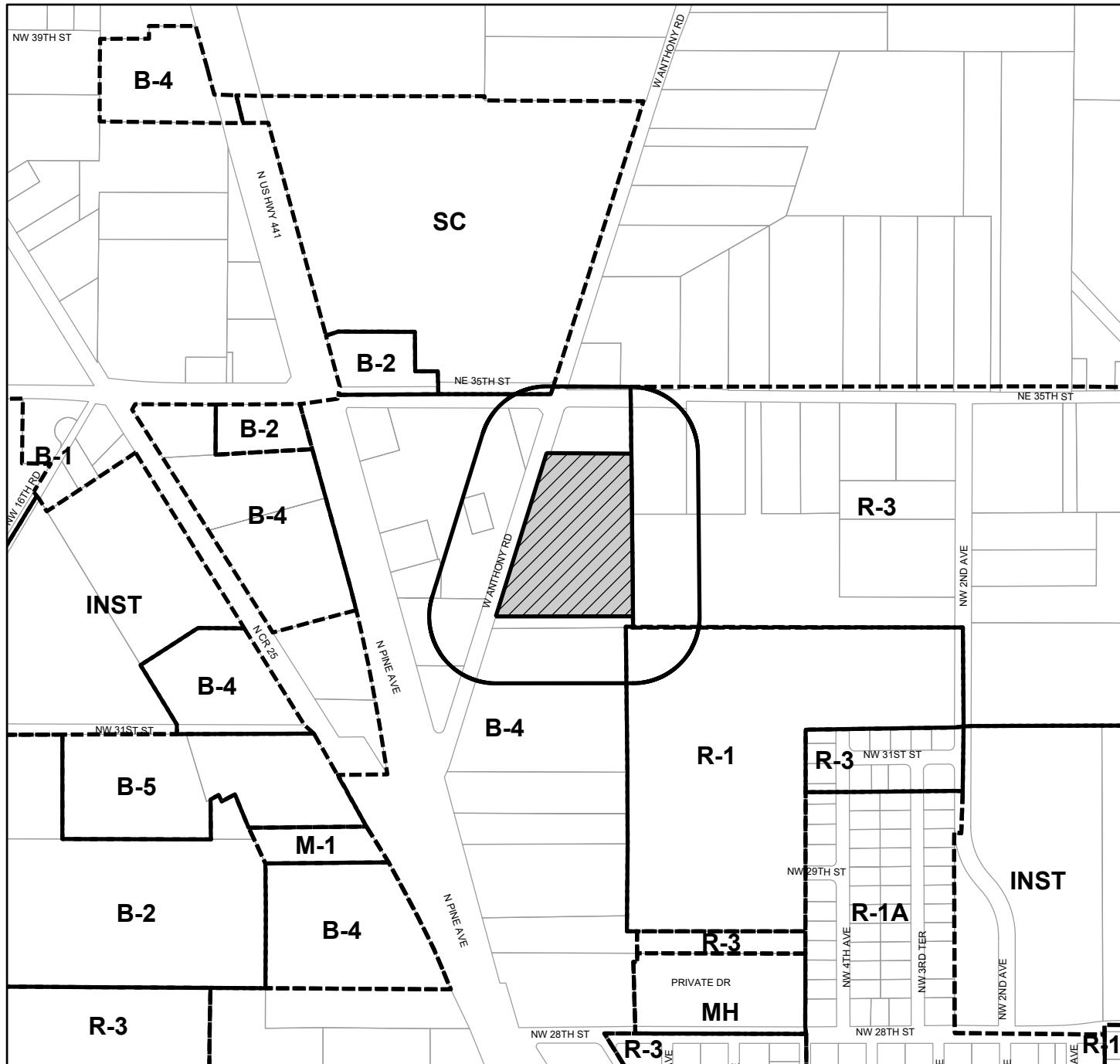


SEC 6 TWP 15 RNG 22



500

1 Feet



## ZONING MAP

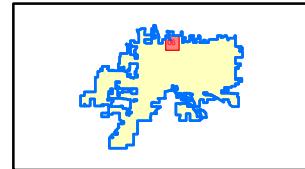
## Legend

-  Special Exception Project
-  300' Buffer
-  Zoning District
-  Parcels

## SPECIAL EXCEPTION CASE MAP

BOA MEETING: 7/15/2019

### LOCATION MAP



SEC 6 TWP 15 RNG 22



**CASE NUMBER:** SE19-0004  
**PARCEL NUMBER:** 25226-008-02  
**PROPERTY SIZE** APPROX. 7.14 ACRES  
**EXISTING LANDUSE:** LOW INTENSITY  
**PROPOSED:** REQUEST FOR A SPECIAL EXCEPTION TO ALLOW MULTI-FAMILY IN A B-4, GENERAL BUSINESS ZONE

500

Feet



PRINTED: 05/13/19 ds

Florida Department of Transportation