




**Marion County  
Board of County Commissioners**

Office of the County Attorney  
601 SE 25<sup>th</sup> Ave.  
Ocala, FL 34471  
Phone: 352-438-2330  
Fax: 352-438-2331

MEMORANDUM

To: Chuck Varadin, Growth Services Director

From: Matthew G. Minter, County Attorney 

Date: December 12, 2024

Subj: Application (AR#32136) to construct 22 new hangars at Jumbolair-Greystone Airport FAA ID 17FL

**INTRODUCTION:** The Jumbolair-Greystone Airport (hereafter, “Airport”) is “registered” by, and has “site approval” by the Florida Department of Transportation (“FDOT”) as a “Private Airport,” with a site address of 8851 West Anthony Road, Ocala, FL 34479. (See **attachment A**). The registration of the Airport by FDOT in 1980 and 1982 pre-dates the enactment of land development regulations applicable to the site by Marion County. The Airport is one of 224 private airports in the State of Florida listed in the FDOT 2024 Florida Airport Directory. (See **attachment B**). It is noted that there are a number of other FDOT registered private airports in Marion County also listed in that Directory. While legal issues may arise in numerous contexts related to airports, this memorandum addresses the narrow issue of what permits or approvals are required from Marion County for the construction of 22 new airplane hangars *within the approved Airport site boundary*. There was a comprehensive plan amendment and concurrent PUD rezoning application related to *property adjacent to the airport* that was withdrawn on February 20, 2024. And, in the future, there may be separate proposals related to new development in or around the airport, but those issues are not germane to, and thus not addressed in this memorandum.

**RELEVANT HISTORICAL ACTIVITY:** An application for construction of five replacement hangars, to replace existing hangars, was submitted to the County in 2021 under Major Site Plan Application (AR # 27450). That Plan was approved by the DRC on December 13, 2021. Permits for four of the five hangars were issued on February 2, 2022, and the fifth hangar permit was issued on February 16, 2022. The Major Site Plan was revised (AR# 29680) to reflect some adjustments made as the site was under construction. That Plan was approved by the DRC on April 3, 2023. The permits for the five hangars were then CO'd on April 11, 2023. No other permits or approvals were required by Marion County for that project.

**JURISDICTION:** Initial issues involve the questions, “What is an airport?” “What agency has jurisdiction to initially approve a private airport?” “Is the construction of new hangars within an approved airport boundary authorized by the approval of the airport itself?” If the Florida Department of

Transportation (“FDOT”) has authority to approve new airports, does Marion County have any regulatory authority over construction of new buildings on airport property?

Florida statutes provide for approvals of new public airports and private and personal airports. *The Airport has for some time held a current valid registration and site approval for a private airport by the FDOT.*

A private airport can be used by the owners of the airport, and the invitees of those owners. A private airport is not open to use by the general public, as is the case for the Ocala Airport or the Marion County Airport. Private airport site approvals and registrations are administered by FDOT pursuant to Ch. 330, Florida Statutes, and Florida Administrative Code Ch. 14-60. Fla. Stat. § 330.30(1)(a)2. provides that “the proposed airport will conform to licensing and registration requirements and will comply with applicable local government land development regulations or zoning requirements. As stated above, the registration of the Airport pre-dates the adoption of the Marion County Land Development Code.

The question whether Marion County has any authority to limit the number of hangars at the Airport requires a review of the definition of an “airport.”

### Definitions of “Airport”

#### **A. U.S. Code**

- Per 49 USC § 47102(2), an **airport** is:
- - a. An area of land or water used or intended to be used for the landing and taking off of aircraft;
- -b. *An appurtenant area used or intended to be used for airport buildings and other airport facilities or rights of way;*
- - c *Airport buildings and facilities located in any of those areas;*
- Per 49 USC § 102(2)(B), this specifically includes heliports.

#### **B. Florida Statutes**

Fla. Stat. Ch. 330 REGULATION OF AIRCRAFT, PILOTS, AND AIRPORTS

##### **Fla. Stat. §330.27**

(2) “**Airport**” means an area of land or water used for, or intended to be used for, landing and takeoff of aircraft, *including appurtenant areas, buildings, facilities, or rights -of-way necessary to facilitate such use or intended use.*

[ Note, the federal and Florida definitions of “airport” above appear to be “industry standard,” – for instance, the definition of “airport” in **Oregon Admin. Code, Rule 738-005-0010 (18)** contains substantially the same definition.

(5) “**Private airport**” means an airport, publicly or privately owned, which is *not open or available for use by the public, but may be made available to others by invitation of the owner or manager.*

Fla. Stat. Ch. 332 AIRPORTS AND OTHER AIR NAVIGATION FACILITIES

##### **Fla. Stat. § 332.01. Airport law; definitions**

(3) “**Airport**” means any area, of land or water, except a restricted landing area, which is designed for the landing and takeoff of aircraft; *whether or not facilities are provided for the shelter, servicing, or repair of aircraft*, or for receiving and discharging of passengers or cargo, and *all appurtenant areas used or suitable, for access to airport facilities, airport buildings, or other airport facilities*, and all appurtenant rights-of-way, whether heretofore or hereafter established.

The definitions of “airport” in both the federal and Florida statutes above are broad enough to include hangars, although not expressly using the word “hangar.” A hangar is a building or facility for the shelter, servicing or repair of aircraft.

#### Other Authorities

- In *Gordon v. Bd. Of Civil Authority for Town of Morristown*, 910 A.2d 836, 839 (Vt. 2006), in a tax case, the Vermont Supreme Court ruled that a “hangar,” as a structure designed to enclose an area for sheltering airplanes, is a “building.”
- In the definitions of the **Oregon Admin. Code** referenced above, **Rule 738-005-0010 (67)** “hangar” or “hangar structure” is defined as a covered, usually enclosed, area for housing and repairing aircraft.”
- In another tax case, the Supreme Court of Illinois, in *Harrisburg-Raleigh Airport Authority v. The Dep’t of Revenue*, 533 N.E.2d 1072, 1074-75 (1989), referring to an applicable Illinois statute, the court noted that the Act defines an “Airport” as “any locality . . . used or designed for the landing and taking off of aircraft, or for the location of . . . *hangars, buildings structures, . . . and other facilities.*” The court also observed that “[w]ithout some provision for storage of private aircraft, private aircraft owners would be forced to construct their own storage facilities at a distance from the airport, or use public storage facilities which might not be available on short notice. The goal of assuring regular users of the airport that they will be able to store their craft in secure facilities bears a real and substantial relation to a *public* airport’s function of serving as a terminus for private aircraft.” Although that statement relates to hangars at public airports, the description of a hangar’s function demonstrates that a hangar is a normal appurtenant building or facility for both private and public airports.

In consideration of the foregoing, I conclude that the Site Approval and Registration by FDOT of the Airport includes the right of the Airport owner to construct hangars within the Airport site. No other zoning or land use approvals from the County are necessary for the construction of these hangars. The Airport Registration does not exempt airport development from all County regulations, including those related to the building code; fire code, stormwater regulations, set-backs and building height restrictions. Therefore, I conclude that the application for site plan approval and building permits will go through the DRC review in the same manner as the five replacement hangars referenced above, in 2023.

I am providing this memorandum in support of a revision of your August 12, 2024 letter to Attorney Robert W. Batsel, Jr., related to the proposal for the 22 new hangars.

Please let me know if you need additional guidance in this regard.

MGM/lz

Attachments A and B

FLORIDA AVIATION  
DATABASE

## Private Airport Registration & Site Approval

Facilities      Registration

[New Facility](#)      [Logout](#)

**Owner/Organization** [Edit](#)

Owner/Organization: Jumbolair Aviation Operations, LLC  
 Mailing Address: PO Box 510310, Melbourne Beach, FL 32951  
 Phone: (321) 339-8902  
 Fax: bobbull@bullgrp.com  
 Email: bobbull@bullgrp.com

User Name: bobbull@bullgrp.com       Primary  
 User Name: chancebull@bullgrp.com       Primary

Registration Status Expires In 266 day(s)  
[Click here for instructions on how to renew airport registration.](#)

**Site Approval Information**      [Registration Information](#)

Pursuant to a 2003 amendment to Chapter 330, Florida Statutes, all existing private airport licenses were converted to private airport registrations on October 1, 2003  
 Requested Date 9/10/2008      Original Registration 9/10/2008  
 Issue Date 10/1/2003      Last Updated 8/1/2023  
 Effective Date 11/15/2003      Expiration Date 8/1/2025

**Airport**      [Edit](#)

Facility Name: Jumbolair-Greystone Airport      County: Marion  
 Physical Address: 8851 West Anthony Rd      Associated City: Ocala  
 Ocala, FL 34479      ARP Latitude: 29° 16' 48.91" NAD 83  
 Phone: (321) 339-8902      ARP Longitude: 82° 7' 29.33" NAD 83  
 Fax: info@jumbolair.com      Elevation: 100 Feet (Above Mean Sea Level)  
 Email: info@jumbolair.com      Primary Use: Fly-in Community

Find ID via FAA's 5010 database  
 FAA ID: 17FL  
 FAA Site #: 03393.1\*A

A reminder will be sent to the email address you provided (bobbull@bullgrp.com) 60 days prior to expiration. If the email address is no longer valid, a notice will be mailed 30 days prior to expiration.

**Contacts**      [Add Contact](#)

Action	Name	Mailing Address	City	State	Zip	Email	Phone	Fax	Contact Type
<a href="#">Edit</a>	Mr. Robert A Bull	po box 510310	Melbourne Beach	FL	32951	bobbull@bullgrp.com	(321) 339-8902		Primary Contact
<a href="#">Edit Delete</a>	Mr. Chance Bull	PO Box 510310	Melbourne Beach	FL	32951	chancebull@bullgrp.com	(321) 210-0693		Manager
<a href="#">Edit Delete</a>	Mrs. Debra A Bull	po box 510310	Melbourne Beach	FL	32951	debbiebull@bullgrp.com	(321) 339-7935		Owner Representative

**Helpport Data**      [Add Helpport](#)

Action: [Edit Delete](#)      Helpport Id: H1      TLOF: 60 x 60      FATO: 60 x 60      Direction(s): N/S  
 Runway Data: [Add Runway](#)      Surface: Conc      Location: Land

Action: [Edit Delete](#)      Bearing: 18/      Length: 7550      Width: 200      Surface: Asph  
 Action: [Edit Delete](#)      Bearing: 09/27      Length: 3000      Width: 100      Surface: Turf

11 A

Complimentary Copy

# 2024

## FLORIDA

### AIRPORT DIRECTORY

*A Guide to  
Florida's Public and  
Private Airports*

2023 GENERAL AVIATION  
AIRPORT OF THE YEAR

**Lakeland Linder  
International  
Airport**



Published by:  
The Florida Department of Transportation Aviation Office

"B"

Hummingbirds Lansing Airport  
FL48 27-07.258N, 81-48.182W  
09/1, 3,153x100, Unpaved  
Kevin E Daughtrey  
116 Oak Ridge Dr  
Arcadia, FL 34286  
863-444-0556

Hutson Airfield  
8FL0 29-43.700N, 81-26.328W  
18/36, 2,210x50, Unpaved  
09/27, 2,336x50, Unpaved  
Garrett Gleim  
PO Box 12848  
Gainesville, FL 32604  
352-870-0661

Indian Hammock Airport  
FL75 27-32.519N, 80-49.987W  
11/29, 3,160x100, Unpaved  
Robert Baum  
32801 US Hwy 441 N, #400  
Okeechobee, FL 34972  
863-763-9401

Indian River Aerodrome  
FL74 27-35.918N, 80-30.120W  
17/35, 2,600x150, Unpaved  
Dave J Von Unsove  
180 Sopwith Dr  
Vero Beach, FL 32988  
772-563-3871

Ingalls Field Airport  
FL12 30-35.429N, 84-01.827W  
12/30, 5,550x100, Unpaved  
Kent Yawn  
11418 Cherokee Plantation Ct  
Tallahassee, FL 32312  
850-445-0031

J R's Stolport  
66FD 29-00.217N, 82-33.317W  
09/27, 1,315x90, Unpaved  
John Rizzo Jr  
PO Box 3262  
Dunnellon, FL 34430-3262  
352-257-7746

J-22 Ranch Airport  
18FL 30-43.511N, 87-12.082W  
18/36, 2,595x227, Unpaved  
Brian Willis  
7996 Skyhawk Rd  
Pace, FL 32571  
850-291-2827

Jefferson Landings Airport  
74FL 30-35.211N, 83-42.361W  
18/36, 6,395x75, Unpaved  
Melvin E Anderman  
113 E 2nd Ct  
Greenville, FL 32331  
850-997-0473

Jim Finlay Farm Airport  
28FL 29-26.474N, 81-35.068W  
18/36, 2,233x80, Unpaved  
Frita Abbing  
PO Box 774  
Crescent City, FL 32112  
386-698-3027

Johary Airport  
FL58 29-01.562N, 81-59.272W  
18/36, 3,858x150, Unpaved  
C F Johary Sr  
1321 Apopka Airport Rd, Unit A  
Apopka, FL 32712  
321-946-3368

Joy Farms Airport  
8FD8 30-38.128N, 86-06.563W  
04/22, 1,875x80, Unpaved  
Brian D Goff  
4879 S Hwy 331  
DeFuniak Springs, FL 32435  
850-692-2658

Jumbolair-Greystone Airport  
17FL 29-16.815N, 82-07.489W  
18/36, 7,550x200, Paved  
09/27, 3,000x100, Unpaved  
Robert A Bull  
po box 510310  
Melbourne Beach, FL 32851  
321-339-8902

Kiewer Airport  
8FL2 29-00.068N, 82-06.039W  
18/36, 2,500x100, Unpaved  
Robert Kiewer  
15010 SE 28th Ct  
Summerfield, FL 34491  
908-334-3232

Kings Field  
21FL 29-30.517N, 81-46.017W  
18/33, 1,828x200, Unpaved  
08/26, 2,305x200, Unpaved  
Jack King  
11320 Monte Vista Rd  
Clermont, FL 34711  
407-467-6969

Kings Port Airpark  
FD72 27-10.870N, 81-23.438W  
18/36, 2,800x70, Unpaved  
Edward Fleagle  
212 Park Land Dr  
Lake Placid, FL 33852-5195  
910-356-0917

Kirkland Airport  
FD28 30-58.911N, 85-29.546W  
18/36, 1,890x50, Unpaved  
W R Kirkland  
5673 Hwy 77  
Graceville, FL 32440  
850-263-3622

Kitty Hawk Estates Airport  
FL88 30-20.339N, 83-08.623W  
11/29, 5,000x150, Unpaved  
Kelly Caudill  
8277 185th Rd  
Live Oak, FL 32060  
386-685-2900

Lafayette Landings Airport  
FD90 29-10.116N, 81-15.887W  
15/33, 3,100x200, Unpaved  
Todd Whaley  
3150 Lafayette Landings Dr  
De Leon Springs, FL 32130  
386-801-5855

Lake City Airpark  
FL27 30-02.631N, 82-36.235W  
09/23, 3,215x150, Unpaved  
Dan Dannecker  
355 SW Aviation Dr  
Lake City, FL 32025  
772-465-2528

Lake Clinch Airpark  
52FL 27-45.018N, 81-33.671W  
18/36, 2,840x100, Unpaved  
Bob Komro  
330 Airport Road  
330  
Frostproof, FL 33843  
715-495-2003

Lake Montaza Airport  
83FD 27-34.817N, 80-48.917W  
06/24, 2,000x100, Unpaved  
Andrew Kruss  
2843 S Bayshore Dr, 6B  
Miami, FL 33133  
305-496-2950

Lake Pennington Airstrip  
83FA 27-21.186N, 81-24.486W  
09/27, 2,000x100, Unpaved  
David B Piper  
128 Pine Tree Dr  
Lake Placid, FL 33852  
630-802-4405

Lake Suzy Estates Airport  
26FL 27-02.953N, 82-02.622W  
12/30, 3,800x200, Unpaved  
Gerald Downs  
11970 SW Kingsway Cir  
Lake Suzy, FL 34269  
941-628-7568

Lake X Airport  
57FA 28-12.518N, 81-07.154W  
17/36, 5,200x60, Paved  
Rich Adair  
7965 Old Melbourne Hwy  
Saint Cloud, FL 34771  
407-709-1745