

**RESOLUTION NO. 23-R-567**  
**A RESOLUTION OF THE BOARD OF**  
**COUNTY COMMISSIONERS OF MARION**  
**COUNTY, FLORIDA, APPROVING A**  
**SPECIAL USE PERMIT MODIFICATION,**  
**PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, a petition for a Special Use Permit Modification was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on October 30, 2023; and

**WHEREAS**, the aforementioned petition was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, November 21, 2023. Now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Marion County, Florida:

**SECTION 1. SPECIAL USE PERMIT MODIFICATION PETITION 231107SU – Donna Kelley.** The petition requesting a Special Use Permit Modification (230504SU/ Resolution 23-R-172), Articles 2 and 4 of the Marion County Land Development Code, as submitted by Jon Harvey, Tillman & Associates Engineering, Ocala FL 34471, for baseball fields, in a General Agricultural (A-1) zone, on an approximate 15.46 acre tract on Parcel Account Numbers 14848-006-00 and 14848-0008-00, site address 7020 NE 17<sup>th</sup> Terrace, Ocala FL 34479.

**SECTION 2. FINDINGS AND CONDITIONS.** The Board of County Commissioners disagrees with the recommendation and findings of the Planning and Zoning Commission recommending approval of the Special Use Permit and the Board approves the Special Use Permit subject to the following conditions:

1. A site plan shall be submitted to and approved by the Development Review Committee before baseball activities may commence on the property.
2. A driveway permit from FDOT is required, and driveway improvements shall be made before baseball activities may commence on the property.
3. Permanent restroom facilities shall be constructed on the site, included on the site plan and with all required permits.
4. Buffers shall be consistent with the Conceptual Buffer Plan minus the berm (attached). The northern boundary shall consist of either viburnum hedges or clumping bamboo and a mixture of magnolia trees, providing a consistent screening of activities from adjacent properties. A Type C Buffer shall be installed along Hwy 326 frontage.
5. The trees and vegetation on the eastern boundary of the property shall remain and be maintained.
6. Any signs will be temporary and in connection to a Special Event Permit.

7. Exterior lighting shall adhere to Section 6.19 of the Marion County Land Development Code. All stadium lights shall be off by 8 p.m. daily.
8. The site shall be developed and operate consistent with the Conceptual Plan and the required buffers and onsite restrooms. Any other expansions of the site will require a new SUP.
9. The proposed use is subject to all Marion County Noise Ordinances, including plainly audible.
10. Any concessions sold on the site shall be limited to food and drink only and limited to times of organized baseball use on the property. No new structures shall be constructed for concessions. Roadside vendors are allowed as per Section 4.3.12 of the Marion County Land Development Code.
11. Hours of operation for organized baseball activities shall be limited to six days a week, from 8 a.m. until 9 p.m. However, tournaments may be held on the weekends by way of a Special Event Permit, if ample parking and traffic flow is provided on the approved site plan, and limited to the hours of 8 a.m. until 8 p.m. On-site activities will be limited to the number of cars where parking is provided.
12. Maintenance activities may take place during daylight hours, Monday through Saturday.
13. The Special Use Permit shall run with the existing applicant. This special use permit shall automatically become null and void should the subject property be transferred to another person.
14. The Special Use Permit shall expire on May 16, 2028. However, it may be renewed administratively twice for up to 5 years each by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
  - a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the permit,
  - b. Neighboring property owners within 300' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
  - c. The Growth Service Director determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time.)
15. All improvements must be completed within eight (8) months of this approval. Growth Services will inspect on or shortly after July 21, 2024 and report back to the Board of County Commissioners.
16. Growth Services staff will inspect the site plan and buffers two years after release of the final CO.
17. No public address (PA) announcer or amplified music systems shall be allowed for the facility.
18. The former Special Use Permit, namely Resolution 23-R-172/230504SU is hereby repealed and replaced by this Special Use Permit.
19. Conditions Attachment:
  - a. Conceptual Plan
  - b. Buffer Plan

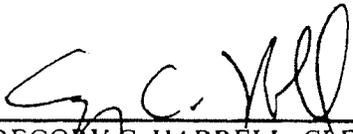
**SECTION 3. REVOCATION.** Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

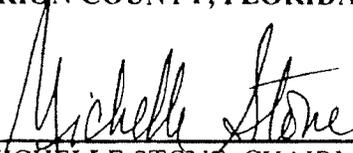
**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**DULY ADOPTED** in regular session this 21<sup>st</sup> day of November, 2023.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA**

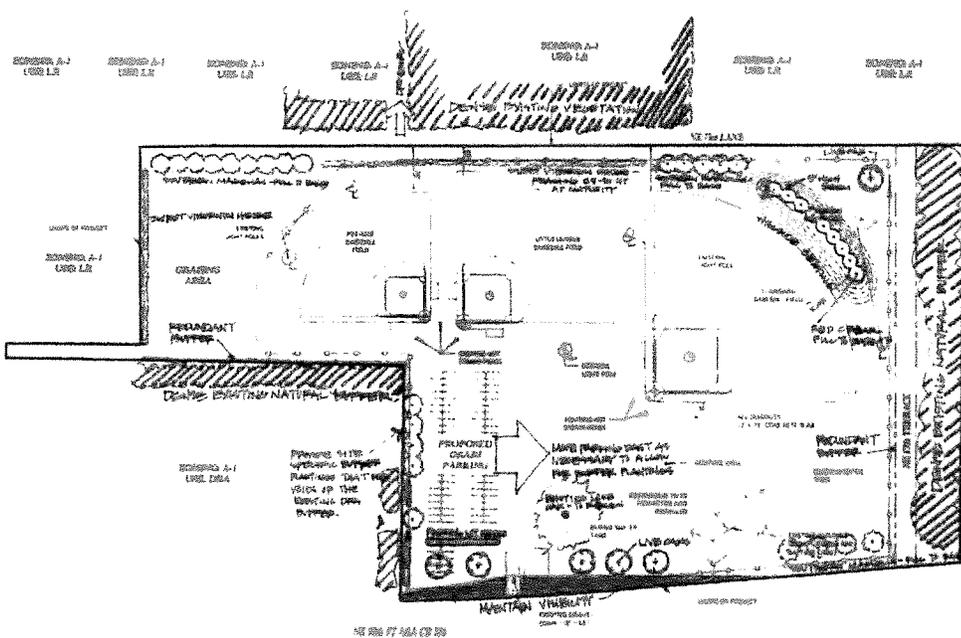
  
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GREGORY C. HARRELL, CLERK

  
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MICHELLE STONE, CHAIRMAN



Attachment B

**CONCEPT PLAN**  
MARTIN COUNTY, FLORIDA



**VEGETATION**

VEGETATION	15000 SQ. FT.
RESTAURANT BUFFER	15000 SQ. FT.
TOTAL	30000 SQ. FT.

- NOTES:**
1. ALL BUFFER AREAS SHALL BE MAINTAINED TO MEET ALL APPLICABLE REGULATIONS.
  2. BUFFER AREAS SHALL BE MAINTAINED TO MEET ALL APPLICABLE REGULATIONS.
  3. BUFFER AREAS SHALL BE MAINTAINED TO MEET ALL APPLICABLE REGULATIONS.

**CONCEPTUAL BUFFER PLAN**  
MARTIN COUNTY, FLORIDA

SECTION A-1  
LUB 1.0

DATE: 12/15/10