



Levy County Board of County Commissioners

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LEVY COUNTY

Planning and Zoning Department

Date: August 25, 2026

From: Kelli Caudill, Planner II

Case: Special Exception, SE 26-01

Applicant: Kirby Family Farm, Inc.

Subject: Special Exception pursuant to allow a Civic Organization use on approximately 110.35 acres of land located in Section 07, Township 13 S, Range 19 E, Levy County, Parcel number 051110020A.



Commissioners

Charlie Kennedy, District 1

Rock Meeks, District 2

Desiree Mills, Chair, District 3

Tim Hodge, Vice Chair, District 4

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Standards for Review of Land Development Special Exception

Article II. – Administration

Division 2. Planning Commission

Sec. 50-55 – Powers, duties, and authority (a) (1) d *Review proposed land development regulations and land development codes or amendments thereto, and make recommendations to the board of county commissioners as to consistency of the proposal with the adopted comprehensive plan or element or portion thereof.*

The proposed Land Development Code Special Exception is consistent with the Comprehensive Plan, specifically Economic Element Goal: *Promote the growth of a strong, stable and prosperous economy through public and private economic development initiatives that preserves and enhances a high quality of life for the residents while protecting the natural, recreational, historical and cultural resources of the County.*

The requested Special Exception is seeking to secure formal land use approval for the existing Civic Organization operations, bringing the site into full compliance with Levy County zoning regulations.

Application Overview

The applicant is requesting a Special Exception under Sec. 50-760 to allow civic and community organization uses within the R1 (Residential) zoning district. Kirby Family Farm, Inc. is a Florida nonprofit organization located on approximately 110.35 acres near the municipality of Williston. Specifically, Parcel number 051110020A, 19630 NE 30th St. Williston. The property abuts large tracts of R-1 zoned properties to the north, south and west, and industrially zoned properties to the east.

Kirby Family Farm, Inc. has been in operation since 2011 as a community outreach organization, providing civic, educational and community services to youth and families. The site includes a working antique train and several amusement rides in addition to outreach facilities and interactive agricultural experiences.

While the applicant did not previously secure official county-level permits for their facilities, the operation has consistently maintained adherence to all State of Florida regulatory requirements, including passing all mandatory state inspections for its on-site trains and amusement rides. The goal of the Special Exception application is to bring Kirby Family Farm, Inc. into compliance with Levy County zoning regulations and allow it to continue operating within Levy County zoning framework.

The applicant has provided a detailed narrative of the existing operation along with their justification for making this request as it relates to Sec. 50-760. As well as all State Certifications and inspections and proof of liability insurance.

Staff Analysis

Planning staff reviewed the proposed Special Exception to determine if it meets the following criteria:

1. The proposed Special Exception is consistent with the purposes, goals, objectives, and policies of the Levy County Comprehensive Plan.
2. The proposed Special Exception implements the best planning practices for Levy County.
3. The proposed Special Exception is consistent with the intent of any applicable zoning district.

After review and consideration staff finds the following:

1. ***Compatibility with Sec. 50-760. - Place of religious assembly, civic organization or membership club with outdoor uses.***

The Special Exception is compatible with the requirements of Sec. 50-760

- (1) **The minimum lot area is one acre when located within a Municipal Service District (MSD) and three acres when located outside of an MSD.**

The subject property consists of approximately 110.35 acres and is located within the Municipal Service District. Based on the properties acreage and location within the MSD, this property meets the minimum lot size requirements for Sec. 50-760.

- (2) **Buffering and screening shall be provided as appropriate for the adjoining land uses based on the requirements in section 50-775.**

The surrounding properties and adjacent land uses were reviewed to determine the applicable buffering and screening requirements under Sec. 50-775. The parcel currently provides natural screening along the property boundaries adjacent to the R-1, A/RR and Industrial zoning surrounding the property. A Site plan will be required to determine compliance with additional buffering requirements as stated in Sec. 50-384.

(3) All parking shall be located on-site.

A site plan will be required to determine applicable parking requirements are adhered to. All parking must remain on site. No parking is currently proposed or anticipated within County right-of ways or adjacent properties.

(4) The lot must have direct access on a paved county or state road.

Subject property has direct access to an easement that connects to NE 30th Street, which is a County paved road. A site plan will be required to determine all Roads and engineering requirements for access and connectivity are being adhered to.

(5) Where athletic fields or other outdoor uses that include lighting and installation and/or use of an audio system are adjacent to property zoned RR, R-1, R-2, or RR-3C or any property developed with existing dwellings, the board may impose such site specific conditions as they deem necessary to address compatibility and limit off-site impacts. Outdoor uses are limited to the hours of 8:00 a.m. to 8:00 p.m., unless otherwise specified in the special exception.

Sec. 50-760 requires that outdoor uses are limited to the hours of 8:00 am to 8:00 pm unless otherwise specified in the Special Exception. The applicant has not provided information on proposed hours of operation.

2. *Neighborhood Compatibility*

15 years of continuous operation provides a baseline for evaluating historical neighborhood compatibility. Kirby Family Farm, Inc. has operated since 2011 without documented, unresolved negative external impacts on surrounding properties.

3. *Infrastructure Safety*

The trains and amusement rides have been consistently maintained and inspected under Florida Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Fair Rides Inspection, minimizing public safety risks.

4. *Zoning Alignment*

The Special Exception establishes a formal framework to bring the existing use into alignment with local regulations. This process allows Levy County to codify boundaries, providing a clear path toward full compliance and future operational stability.



Staff Recommendations

Should the Planning Commission vote to recommend approval of the requested Special Exception, Staff recommends the following conditions to ensure ongoing compliance and safety:

1. **State Safety Certifications:** The applicant must submit annually copies of all current State of Florida inspection reports and certifications for all trains and amusement rides to the Levy County Building and Zoning Department and provide all permits and approvals annually verifying compliance with all agencies including but not limited to SWFWMD, FDAC, etc.
2. **Permitting Requirements:** The applicant shall apply for and obtain all necessary after-the-fact county building permits for existing unpermitted structures and ride foundations within 90 days of this approval.
3. **Scope of Operations:** The primary use of the property shall remain a civic and community organization dedicated to youth outreach and educational programs. Any major expansion of the outdoor amusement uses beyond the existing footprint shall require an amendment to this Special Exception.
4. **Code Compliance:** The facility must remain in continuous compliance with all other applicable state, federal, and local health, safety, and environmental regulations.

Planning Commission Recommendations

The Levy County Planning Commission heard Application SE 26-01 on August 24, 2026. The Commission recommends the following:

- The Planning Commission recommends approval with the following conditions
 - Removal of the condition to require proof of state certifications/inspections
 - Update the requirement to **apply and obtain** all necessary after the fact permits within 90 days to state the applicant shall **apply** for all necessary after the fact permits within 90 days.
 - Suggested adjusting hours of operation to 8:00 am to 10:00 pm
 - Suggested the Board of County Commissioners can direct staff to not take code enforcement actions if all conditions are in progress
 - Suggested that the applicant submit detailed plans for road access