

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA**

PETITION NO. SE 26-01 Requesting a Special Exception pursuant to Sec. 50-760 of the Levy County Land Development Code to allow a civic organization or membership club with outdoor uses located at 19630 NE 30th St., Williston, FL 32696 in Section 07, Township 13 S, Range 19 E, Levy County, Florida, Parcel ID Number: 051110020A

Property Owner/Applicant: Kirby Family Farm, Inc., a Florida not-for-profit corporation

Current Land Use Designation: Urban Low Density Residential

Current Zoning Designation: Single-Family Residential, Urban (R-1)

ORDER APPROVING SPECIAL EXCEPTION

Whereas, by Special Exception Application dated June 3, 2026, copies of which are on-file in the County Planning and Zoning Office (collectively the “Application”), the Property Owner requested a Special Exception to allow operation of a civic organization with outdoor uses for community outreach, youth education, interactive agricultural experiences, and related civic organization activities, including the operation of antique trains and amusement rides that have been inspected and certified by the State of Florida, located on certain real property described on **Exhibit A** hereto (the “Property”); and

Whereas, Sections 50-700, 50-755 and 50-760 of the Levy County Land Development Code (the “Code”) allow civic organization with outdoor uses as a use by Special Exception on property that is zoned Single-Family Residential, Urban (R-1); and

Whereas, the Board finds that the use is consistent with the comprehensive plan and is identified as a special exception in the zoning district use table; the use is designed, located and proposed to be operated in a manner that it will not be injurious to the public health, safety, and welfare; the Property is suitable for the use proposed by virtue of its location, shape, topography, and by virtue of its compatibility with adjacent development, and with the character of its zoning district; adequate buffering, landscaping and screening are provided to create visual and sound barriers from adjacent property; adequate off-street parking and loading are provided and ingress and egress is designed to cause minimum interference with or congestion of vehicular or pedestrian traffic on abutting streets or of boat or vessel traffic on adjacent waterways; the use is conditioned upon conformance with all applicable zoning district and general regulations in the Code, including site plan review; and the use meets or use is conditioned upon meeting the specific requirements of Article XIII, Division 3, Subdivision 6 of the Code; and

Whereas, on August 24, 2026, the Levy County Planning Commission held a quasi-judicial hearing to consider Petition SE 26-01 and, finding the Petition met all requirements, voted to recommend approval with certain conditions to the Board of

Commissioners; and

Whereas, on September 9, 2026, the Board held a quasi-judicial hearing to consider the Petition and after receiving and considering the Application, the County Staff report, the Planning Commission recommendations, the presentation and materials from the Applicant, and public comment, the Board directed the drafting of an Order of Approval with conditions.

NOW THEREFORE, based on the testimony and evidence presented and received at the quasi-judicial hearings, the Board issues the following Order approving the Petition:

Section 1. Findings. The Board finds that the Petition satisfies all applicable requirements for approval set forth in Sections 50-700, 50-755 and 50-760 and other applicable sections of the Levy County Code, subject to the requirements, limitations and conditions set forth in this Order.

Section 2. Development Authorized; Development Review; Time Limitations. This Order authorizes the preexisting, unpermitted development and use of a civic organization with outdoor uses on the Property, as depicted on the Current Site Plan attached as **Exhibit B** hereto (the "Development").

Upon issuance of this Order, the Property Owner may apply for after-the-fact building permit(s) for existing unpermitted structures. Applicant shall obtain all necessary after-the-fact building permits and otherwise bring the Property into compliance with the Code and all state, federal, and local health, safety, environmental regulations within 120 days of this Order.

To meet this requirement, Applicant may submit to the County Planning and Zoning Office a Final Site Plan meeting the requirements of Sec. 50-775 of County Code and construction plans that depict the Development consistent with the conditions in Section 3 of this Order. The County Zoning Official will coordinate review by the various County departments. Upon finding that the Final Site Plan and construction plans are consistent with this Order, the County Comprehensive Plan and the County Code, the County Zoning Official will issue a Certificate of Zoning Compliance. Thereafter, the Property Owner may apply for any additional building permit(s) that may be required because of the Final Site Plan.

Section 3. Development Conditions. The Development must comply with the specific conditions set forth below. In addition, the Development must comply with all other applicable provisions of the Levy County Code, regardless of whether such conditions or requirements are expressly set forth in this Order.

A. General and Operational Conditions

1. Use/operation of the civic organization with outdoor uses is limited to the hours of 8:00 AM until 10:00 PM each day.

2. The primary use of the Property shall be civic organization with outdoor uses, which shall mean operations conducted by the Applicant on the Property for community outreach, youth education, interactive agricultural experiences, and related civic organization activities, including the operation of antique trains and amusement rides that have been inspected and certified by the State of Florida.
3. Any expansion of the Development beyond what is depicted in the Current Site Plan shall require an amendment to this Special Exception.
4. Any revision in the Final Site Plan necessary to bring existing structures into compliance with applicable state, federal, and local health, safety, and environmental regulations shall require an amendment to this Special Exception.

B. Access and Parking standards.

1. All parking must be located on the Property. No parking is permitted within County rights-of-way or upon adjacent parcels.
2. The Applicant may use the existing unpaved access and shall diligently pursue direct access to a paved road, including any required permitting.

Section 4. Unified Development. The Development must remain under unified ownership and no lots or portions of the Property may be divided and/or transferred through subdivision/platting, condominium, timeshare or other means of transfer or conveyance.

Section 5. Binding Effect; Non-transferable. This Order shall run with the land (the Property) and is enforceable, jointly and severally, against the Applicant and Property Owner, their respective parent entities, subsidiary entities, agents, officers, owners, successors and/or assigns, that are involved in any way in the construction and operation of the Development approved by this Order. This Order is not transferable to any other property.

Section 6. Amendments. Any requested modification to this Order or to the Final Site Plan approved pursuant to Section 2 of this Order or any requested additional development will require the Applicant to timely apply for a Special Exception amendment, which will be processed and reviewed in accordance with then applicable County Code.

Section 7. Enforcement; Appeal. Upon a finding of noncompliance with this Order, the Zoning Official shall provide written notice of the noncompliance by certified return receipt mail to the Applicant. The Applicant shall have 30 days to achieve compliance or request an extension for good cause shown. If compliance is not accomplished within the 30-day period, the Board of County Commissioners will hold a revocation hearing. The decision of the Board is final action, subject to appeal to a court of appropriate jurisdiction.

Section 8. Effective Date; Recording. The effective date of this Order shall be the date approved by the Board as set forth below. The Clerk to the Board of County Commissioners is directed to record the approved Order in the public records of Levy County, Florida.

Section 9. Term. This Order shall remain in effect for a period of 18 months from its effective date, unless renewed or extended in accordance with applicable County Code.

DONE AND ORDERED on September 22, 2026.

BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA

Tim Hodge, Chair

ATTEST: Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners

Matt Brooks

Approved as to form and legal sufficiency

County Attorney

Exhibit A

A parcel of land in Section 7, Township 13 South, Range 19 East, Levy County, Florida, being more particularly described as follows:
All that portion of Section 7, Township 13 South, Range 19 East, Levy County, Florida, lying Easterly of the Easterly right of way line of the abandoned SCL railroad and Westerly of the CXS railroad (formerly ACL railroad) and less road right of way for NE 30th St. (LCR C-316) and LESS AND EXCEPT the following described parcels of land:

LESS AND EXCEPT that certain parcel Commencing at the NW corner of Section 7, Township 13 South, Range 19 East, Levy County, Florida; thence East along the North boundary of said Section 2067.92 feet; thence S 14°31'32" E, 2008.52 feet to a point on the East right of way line of Seaboard Airline Railroad for the Point of Beginning, said point being 50.00 feet from and at right angle to the center line of said railroad right of way; thence continue S 14°31'32" E, along said East right of way line, 669.00 feet; thence S 89°21'52" E, 1266.55 feet; thence N 1°12'08" E, 726.03 feet; thence S 87°27'48" W, 1450.93 feet to the Point of Beginning; AND

LESS AND EXCEPT A parcel of land in the NE 1/4 of the NE 1/4 Section 7, Township 13 South, Range 19 East, Levy County, Florida, being more particularly described as follows:
For a point of reference commence at the NE corner of Section 7, Township 13 South, Range 19 East, Levy County, Florida; thence N 87°36'58" W, along the section line and centerline of C-316, distance of 395.98 feet to the Westerly right of way line of the SCL railroad; thence S 08°53'43" W, along railroad right of way, 40.26 feet to the Southerly right of way line of said C-316 and the Point of Beginning; thence continue S 08°53'43" W, along railroad right of way, 1105.47 feet; thence N 83°41'18" W, 428.09 feet; thence N 06°47'39" East, 1072.18 feet to the Southerly right of way line of said C-316; thence S 87°36'58" E, along said South right of way line, 470.00 feet to close on the Point of Beginning; AND

LESS AND EXCEPT A parcel of land in the NE 1/4 of Section 7, Township 18 South, Range 19 East, Levy County, Florida, being more particularly described as follows:
For a point of reference commence at the NE corner of Section 7, Township 13 South, Range 19 East; thence running N 87°36'58" W, along the North line of Section 7, a distance of 1341.61 feet; thence S 06°47'39" W, a distance of 40.12 feet to the Southerly right of way of Levy County Road 316 and the Point of Beginning; thence continue S 06°47'39" W, a distance of 1220.03 feet; thence S 83°52'16" East, a distance 131.78 feet; thence N 06°47'24" E, a distance of 179.90 feet; thence S 83°41'18" E, a distance of 341.00 feet; thence N 06°47'39" E, a distance of 1072.18 feet to the Southerly right of way of LCR #316, a distance of 474.15 feet to close on the Point of Beginning.

LESS AND EXCEPT THE FOLLOWING PROPERTY:

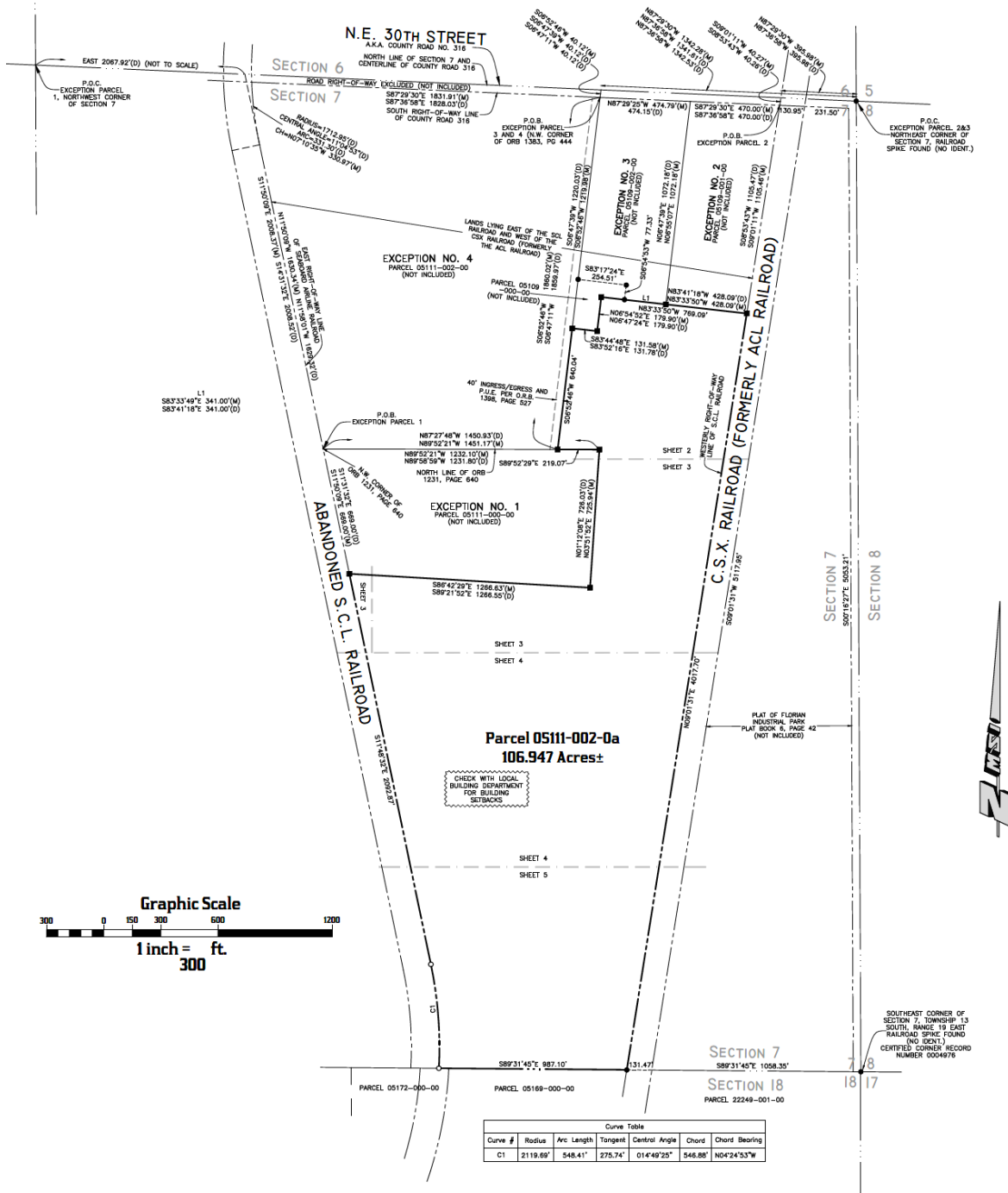
A parcel of land in Section 7, Township 13 South, Range 19 East, Levy County, Florida, being more particularly described as follows:
Commence at the NW corner of Section 7, Township 13 South, Range 19 East, Levy County, Florida; thence S 87° 30' 29" E along the North boundary of said Section 7 a distance of 1382.56 feet; thence S 02° 29' 31" W perpendicular to said Section boundary a distance of 40.00 feet to the intersection with the North right of way line of County Road No. 316 and the POINT OF BEGINNING; thence S 87° 30' 29" E along said right of way line a distance of 1128.50 feet; thence S 11° 52' 02" E a distance of 1917.89 feet to the intersection with the North boundary of that parcel described in Official Records Book 1231, Page 640, Levy County, Florida; thence N 89° 52' 38" W along said North boundary a distance of 1148.04 feet to the intersection with the East line of an abandoned 100 foot wide railroad right of way; thence N 11° 52' 02" W along said East line a distance of 1629.27 feet to the beginning of a curve, concaved to the Northeast, having a radius of 1845.00 feet, a central angle of 10° 18' 12", and a chord bearing N 06° 42' 58" W for a distance of 331.33 feet; thence along the arc of said curve a distance of 331.78 feet to the POINT OF BEGINNING.

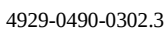
A parcel of land in Section 7, Township 13 South, Range 19 East, Levy County, Florida, being more particularly described as follows:
For a Point of Reference, commence at the NE Corner of Section 7, Township 13 South, Range 19 East, Levy County, Florida; thence N 87°36'58" W, along the North line of said Section 7, a distance of 1342.53 feet; thence S 06°47'11" W, 40.12 feet to a point on the South right of way line of Levy County Road C-316, said point also being the NW corner of that property described in Official Records Book 1383, page 444 of the public records of Levy County, Florida, said point also being the Point of Beginning; from said point of beginning continue S 06°47'11" W, along the West line of last said property and a Southerly projection thereof, a distance of 1859.97 feet to a point on the North line of that property described in Official Records Book 1231, page 640; thence N 89°58'59" W, along the North line of last said property, 1231.80 feet to the NW corn of last said property, said point being on the Easterly right of way line of the abandoned Seaboard Coastline Railroad; thence N 11°58'01" W, along said abandoned railroad right of way, 1629.32 feet to the Point of curvature of a right of way curve concave Easterly, and having a radius of 1712.95 feet; thence Northerly along the arc of said curve, through a central angle of 11°04'53", an arc distance of 331.30 feet to a point on the South right of way line of Levy County Road C-316; thence departing said railroad right of way, S 87°36'58" E, along the right of way line of Levy County Road C-316, a distance of 1828.03 feet to close on the Point of Beginning.

This paragraph exists in O.R.B. 1398, page 527 and is not retraced upon the survey map.

Exception 4. (This paragraph fits properly and is retraced in O.R.B. 1398, page 527 and is traced upon the survey map.)

Exhibit A





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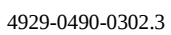


Exhibit B

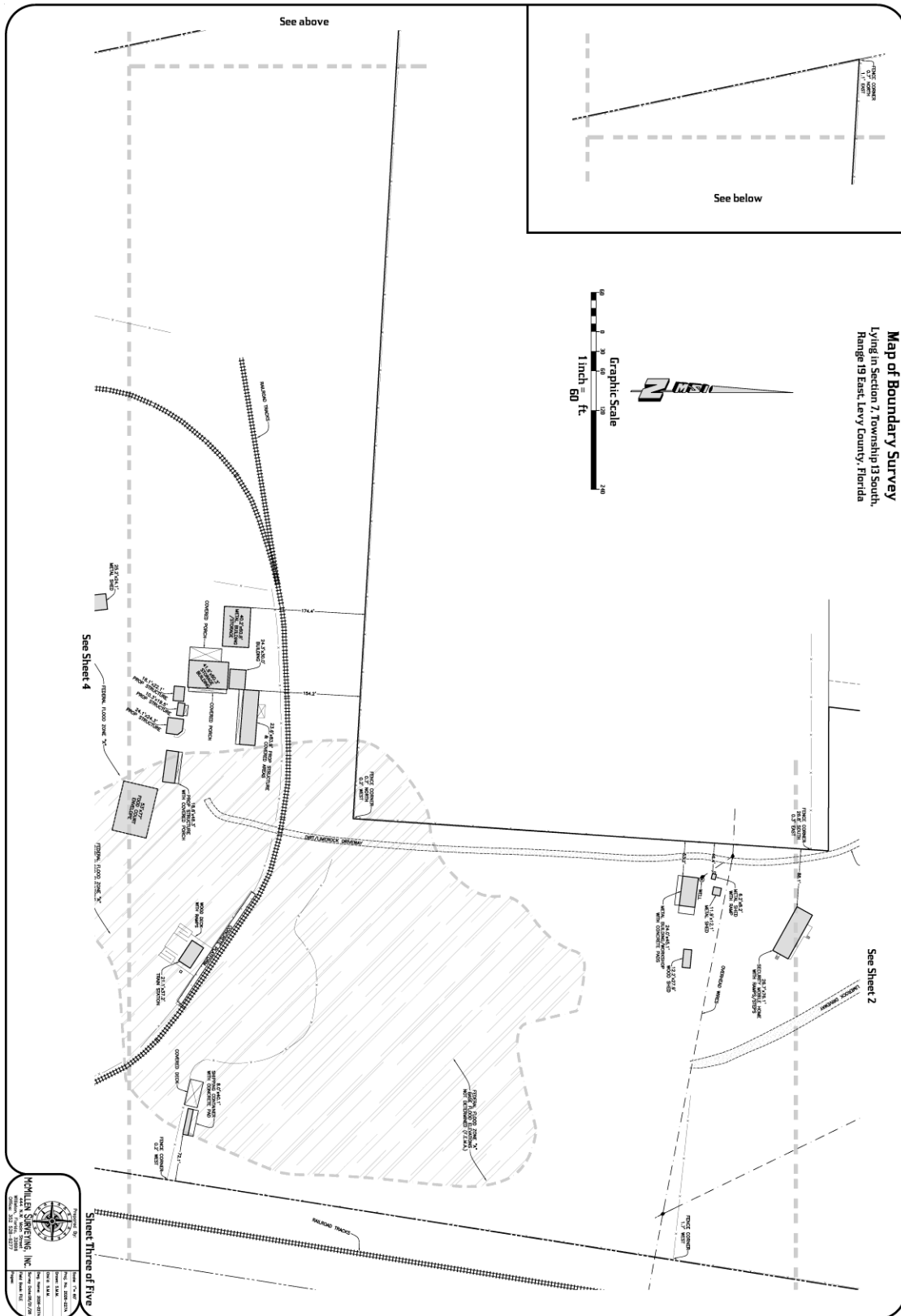


Exhibit B

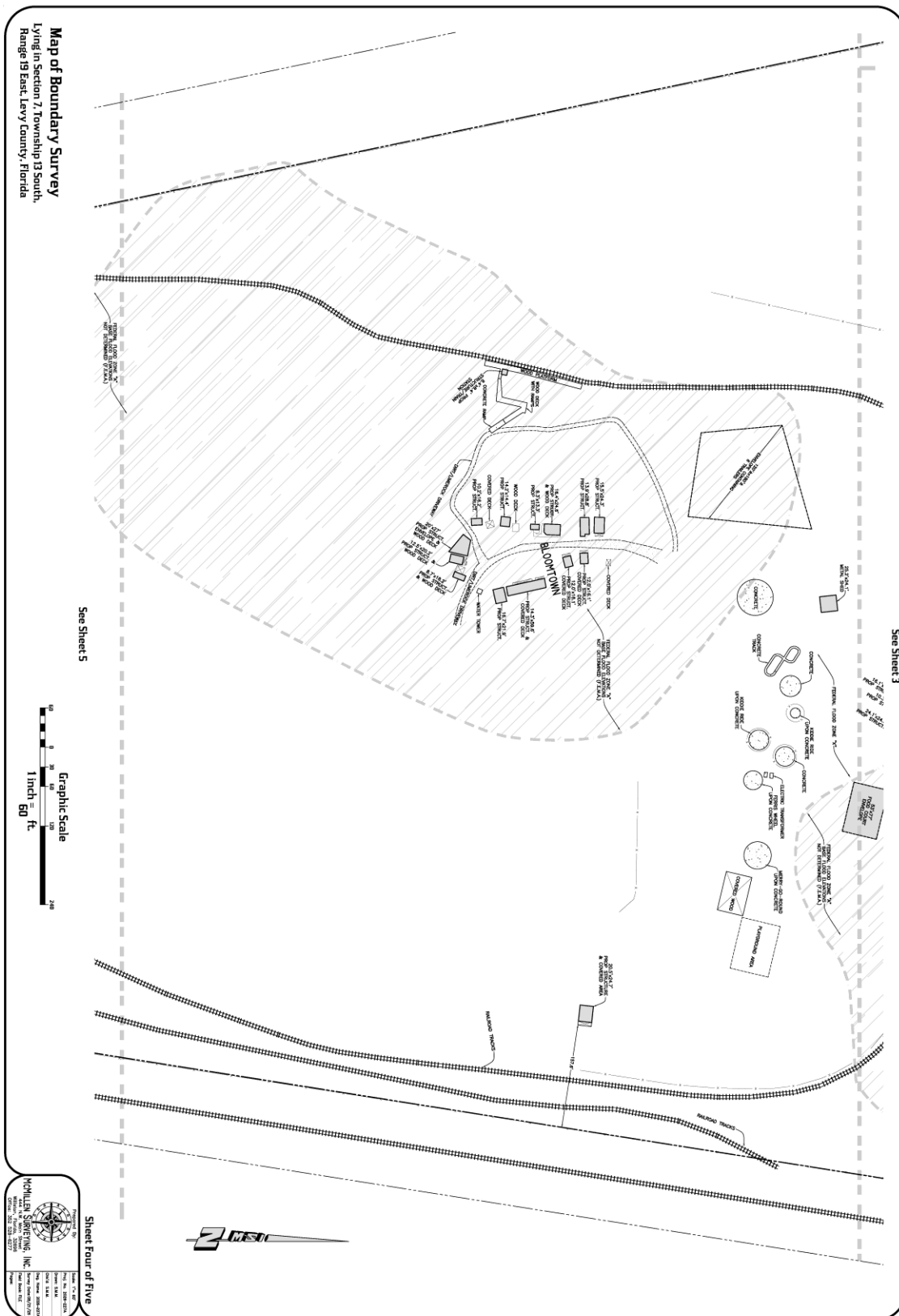


Exhibit B

