



Levy County Board of County Commissioners
PO Box 310, Bronson, Florida, 32621
310 School Street, Bronson, Florida, 32621
Phone: 352.486.5218

LEVY COUNTY
Planning and Zoning Department

Presented by: Tara E. Howell, Planning and Zoning Director

Date: May 20, 2025

Petition: PUD-A 21-01 Black Prong Equestrian Village

Agent for Applicant/Property Owner: Gerry Dedenbach, NV5, Inc.

Applicant/Property Owner: 6851 LLC

Property Address: 450 SE County Road 337, Bronson, FL 32621

Parcel ID: 0368400100

Parcel Size: 90.23 acres

FLUM Designation: Forestry/Rural Residential

Zoning District: Forestry/Rural Residential with a PUD Overlay
adopted by Ordinance Number 2022-8



Commissioners

Charlie Kennedy, District 1
Rock Meeks, District 2
Desiree Mills, Chair, District 3
Tim Hodge, Vice Chair, District 4
Johnny Hiers, District 5



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Request Summary

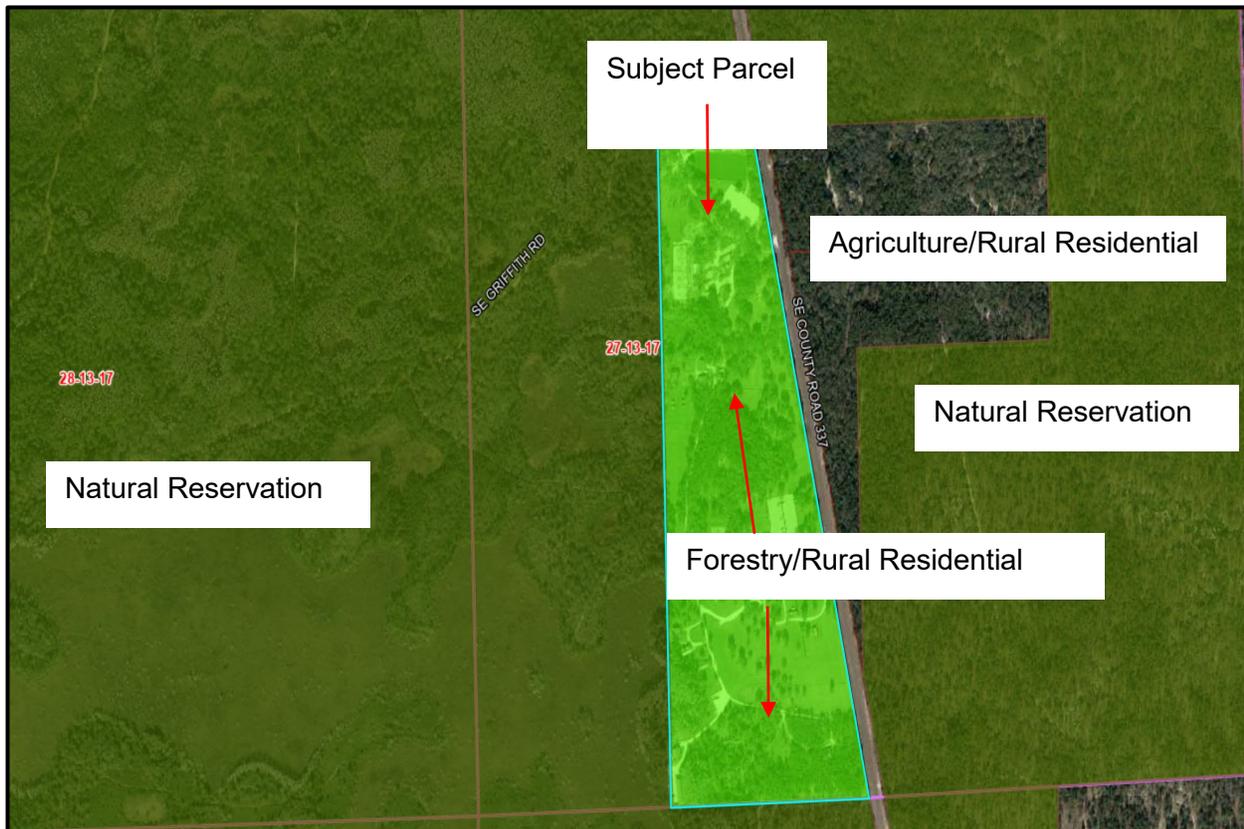
The Applicant/Property Owner is seeking approval of amendments to the Planned Unit Development (PUD) adopted by Ordinance Number 2022-8 for Black Prong Equestrian Village. The requested amendments are as follows:

- Clarification of uses [primary and accessory to the equestrian/agricultural activities]
- Flexibility in site location & allocation of uses within the overall property
- Board of County Commissioners authorizing the Planning and Zoning Director/ Zoning Official to approve future spatial adjustments and allocations within the site's boundaries.

Future Land Use Category and Zoning District of Subject Property

As shown in Image 1 the subject property has a Future Land Use Category and Zoning designation of Forestry/Rural Residential. It also has an overlay zoning of PUD.

Image 1

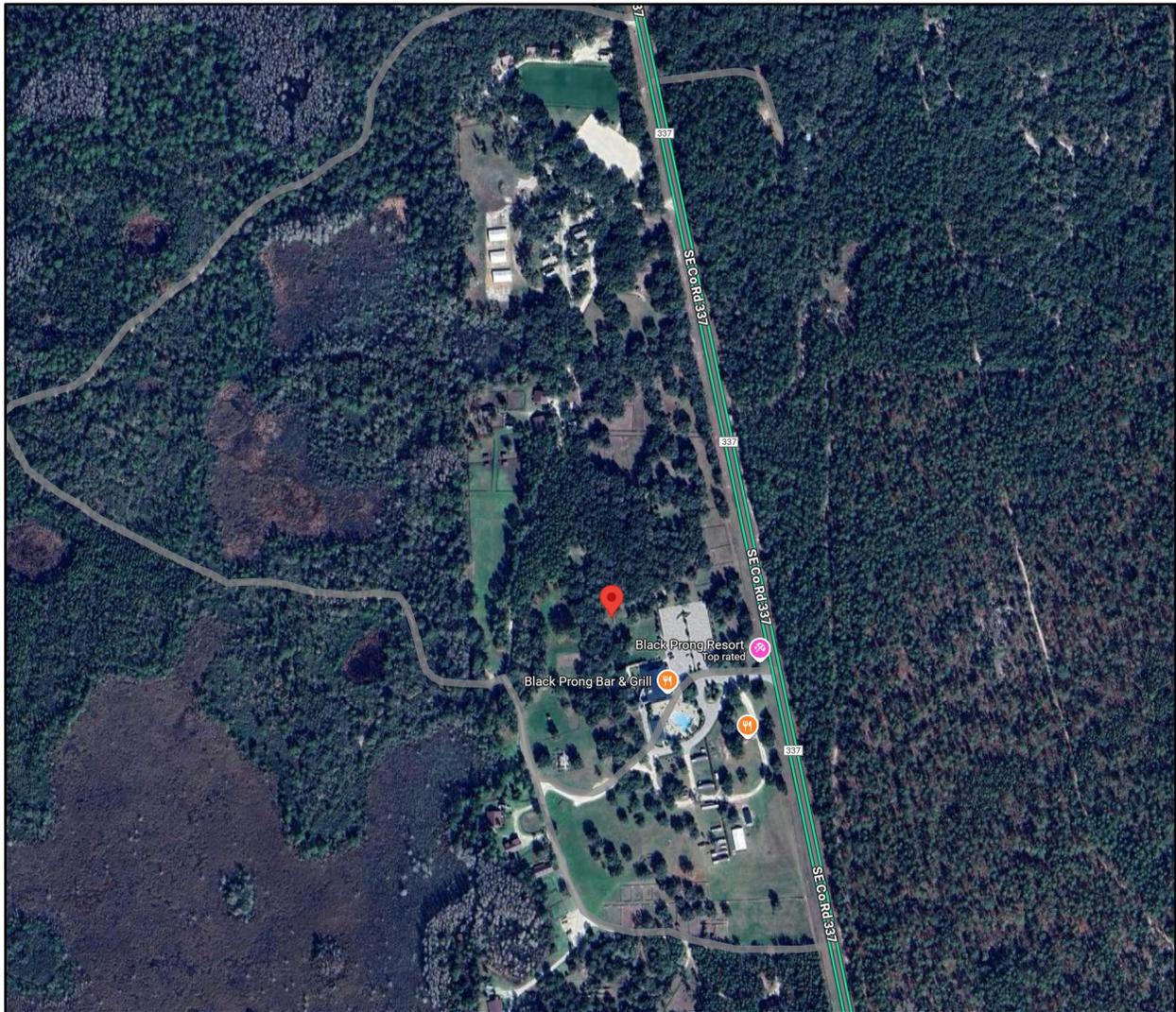


Surrounding Uses

Table 1

Direction	Existing Use(s)	FLU Designation and Zoning District
North	Goethe State Forest	Natural Reservation
South	Goethe State Forest	Natural Reservation
West	Goethe State Forest	Natural Reservation
East	Single Family and Timber	Ag/Rural Residential

Image 2





Staff Analysis

This application seeks to amend the existing PUD 21-01 Ordinance No. 2022-8 (attached). The review of this application is confined exclusively to the proposed amendment items.

Proposed amendment PUD-A 21-01 seeks to introduce flexibility in the site location and allocation of previously approved uses by amending Section 3.6, Development and Uses, in Ordinance Number 2022-8. Exhibit "B" of Ordinance Number 2022-8 currently serves as the approved detailed site plan. Alongside this site plan, a Master Plan sketch (attached) will be included to indicate area designations, providing greater adaptability. Any proposed relocations of previously approved uses will be confined to the areas designated on the Master Plan sketch. This approach aims to achieve a more harmonious arrangement for the PUD development while preserving the natural character of the area.

Additionally, the proposed amendment will revise Section 3.5 of Ordinance Number 2022-8, authorizing the Planning and Zoning Director/Zoning Official to approve adjustments to specific locations within the site's boundaries and designated areas on the Master Sketch plan. These adjustments must be reviewed in accordance with Sec. 50-775 of the Levy County Land Development Code. Furthermore, the amendment will permit staff-level approval for the allocation of uses and minor modifications to uses, such as covering previously uncovered areas. However, any additional uses or increases in the density or intensity of uses will require an amendment to the PUD ordinance and must receive approval from the Levy County BOCC.

Finally, the proposed amendment will revise Section 3.4. Expiration in Ordinance Number 2022-8 to extend the original development expiration date from March 1, 2032, to May 1, 2045. Furthermore, the owners may request an extension of the PUD development expiration date, provided the request is submitted at least 30 days prior to the expiration date and is approved by the Levy County Board of County Commissioners.

Staff finds the proposed amendments to the current Ordinance 2022-8 to be compatible with the requirements of the Levy County Comprehensive Plan and Land Development Code.



Planning Commission Recommendations

On May 12, 2025 at 5:45 PM, A Quasi-Judicial hearing was conducted for Petition PUD-A 21-01. The Planning Commission recommends the requested amendment to the existing PUD 21-01 receive approval by the Board of County Commissioners along with the following conditions:

1. The owner/operator of the approved PUD 21-01 is required to comply with all Regional, State, and Federal permitting regulations, including, but not limited to, those pertaining to storm water management, wastewater management, freshwater management, and animal waste management.
2. The owner/operator of PUD 21-01 shall comply with all Best Management Practices for animal waste processing as prescribed by local, regional, state, and federal regulatory agencies.
3. If at any time the owner/operator of PUD 21-01 is determined to be non-compliant with any local, regional, state, or federal permitting requirements, further approved development shall be suspended until the PUD is brought into compliance.
4. All entry points to the Goethe Forest must be clearly and precisely marked on the master plan, ensuring that each access point is easily identifiable and accurately represented for planning and regulatory purposes.



Attachment A - Ordinance 2022-8

**ORDINANCE NUMBER
2022-8**

AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE ZONING MAP ATLAS BY OVERLAYING THE PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT ON CERTAIN REAL PROPERTY CONSISTING OF 90 ACRES, MORE OR LESS, GENERALLY LOCATED AT 450 SE COUNTY ROAD 337, BRONSON, FLORIDA; ADOPTING A PUD FINAL DETAILED SITE PLAN, A PUD REPORT AND DEVELOPMENT CONDITIONS; PROVIDING FOR ENFORCEMENT; PROVIDING DIRECTIONS TO THE COUNTY COORDINATOR; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR EXCLUSION FROM CODIFICATION; PROVIDING DIRECTIONS TO THE CLERK AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Pursuant to Sections 50-661 and 50-902 of the Levy County Land Development Code, the Planned Unit Development (PUD) zoning district is an overlay zoning district that is intended to provide parcel specific zoning for planned developments that have unique conditions, require design flexibility, and/or contain diverse and integrated uses and structures, that are consistent with the comprehensive plan, but which other zoning districts do not readily accommodate; and

WHEREAS, upon application by the property owner (Petition No. PUD 21-01) to obtain PUD overlay zoning, notice of public meetings was given as required by law; and

WHEREAS, the PUD overlay will provide a master plan for development and uses on the property, known as the "Black Prong Equestrian Village," including an Equestrian Hub, Hospitality and Event Center, Lodging, Recreation Areas and Infrastructure to support the PUD uses and development; and

WHEREAS, pursuant to the process set forth in Section 50-905 of the Levy County Code, the Levy County Planning Commission (which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes) held a public hearing on November 1, 2021 and voted to recommend approval of the Sketch Plan, and the County Commission then held a public hearing on December 7, 2021 and approved the Sketch Plan; and

1 **WHEREAS**, the property owner then submitted all documents necessary for final
2 approval and the Planning Commission considered the Final Detailed Site Plan at its
3 meeting on February 7, 2022, and recommended approval; and
4

5 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a
6 newspaper of general circulation notifying the public of this proposed ordinance and of a
7 public hearing in the Levy County Government Center in Bronson, Florida; and
8

9 **WHEREAS**, the public hearings were held pursuant to the notices described above
10 at which hearings the parties in interest and all others had an opportunity to be and were,
11 in fact, heard; and
12

13 **WHEREAS**, the County Commission finds that the PUD overlay zoning for the
14 property described herein is consistent with the County Comprehensive Plan and meets
15 or exceeds the Planned Unit Development requirements and objectives set forth in the
16 Land Development Code; and
17

18 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
19 **COMMISSIONERS OF LEVY COUNTY, FLORIDA:**
20

21 **Section 1.** The Planned Unit Development (PUD) overlay zoning district is
22 placed on the following described property, commonly referred to as "Black Prong
23 Equestrian Village:"
24

25 All that portion of the E ½ of SW ¼ and the SE ¼ of NW ¼ of Section 27,
26 Township 13 South, Range 17 East, Levy County, Florida, lying West of
27 Levy County Road C-337.
28

29 The location of the property is shown on Exhibit "A" for visual reference. In
30 the event of conflict or inconsistency, the above legal description shall
31 prevail over Exhibit "A".
32

33 The property has an underlying zoning district of Forestry/Rural Residential (F/RR). The
34 underlying zoning district is neither abandoned nor repealed, but is superseded by this
35 PUD ordinance until this ordinance is repealed by action of the Levy County Board of
36 County Commissioners.
37

38 **Section 2.** The use and development of the property described in Section 1 of
39 this ordinance shall be consistent with the Levy County Comprehensive Plan, and shall
40 be regulated by the following exhibits that are attached to this ordinance and made a part

1 of this ordinance:
2

3 Exhibit "B" is the PUD Detailed Site Plan titled "Black Prong Equestrian Village"
4 dated December 20, 2021 (consisting of 4 pages) prepared by Community Land
5 Design, Inc., that depicts the current conditions and existing development on the
6 property and the future phased development that is authorized by this PUD; and
7

8 Exhibit "C" is the PUD Report titled "PROJECT NARRATIVE BLACK PRONG
9 EQUESTRIAN RESORT" dated October 1, 2021 (consisting of 21 pages.)
10

11 In the event of conflict or inconsistency, the order of precedence shall be as follows, with
12 number 1 taking precedence over number 2 and so on: 1) the conditions set forth in
13 Section 3 of this ordinance; 2) Exhibit "B"; and 3) Exhibit "C."
14

15 **Section 3.** The purpose of this ordinance is to allow a planned unit development
16 consisting of the existing improvements and uses on the property and the additional future
17 phased improvements and uses on the property, all as described in this ordinance and
18 its exhibits. The use and development of the property described in Section 1 of this
19 ordinance shall be regulated by the following conditions:
20

- 21 1. Incorporation of previous approvals: This ordinance incorporates and subsumes
22 the following previous approvals, which are hereby vacated and rendered null
23 and void: Variance Order (VA 03-19) issued August 8, 2019; Special Exception
24 Order (SE 5-02) issued July 10, 2002; Special Exception Amendment Order (SE-
25 A 2-03) issued August 5, 2003; Special Exception Amendment Order (SEA 1-05)
26 issued August 2, 2005; Special Exception Amendment Order (SEA 02-19) issued
27 August 20, 2019; and Special Exception Amendment Order (SEA 02-20) issued
28 August 4, 2020.
29
- 30 2. Compliance with the Code: The planned unit development approved herein is
31 subject to all applicable provisions of the Levy County Code; however, in the event
32 of conflict or inconsistency between this ordinance and the Code, the express
33 conditions of this ordinance shall prevail.
34
- 35 3. Compliance with State and Federal law: This ordinance does not create any rights
36 on the part of the property owner to obtain a permit from any state or federal
37 agency and does not create liability on the part of the County if the property owner
38 fails to obtain necessary permits or fails to fulfill the obligations imposed by a state
39 or federal agency or violates state or federal law.
40
- 41 4. Expiration: The development approval granted by this ordinance expires on March

1, 2032, this means that any development authorized by this ordinance that has not been completed and issued a certificate of completion or certificate of occupancy, as applicable, by that date is no longer authorized.

5. Administrative Changes and Amendments: The property owner shall notify the Planning and Zoning Department of any changes in the phases set forth in this ordinance prior to implementing any such changes. Changes that require notification include, but are not be limited to, changes in the time frames for each phase, changing development projects from one phase to another, and the addition of phase(s). The Planning and Zoning Director is hereby authorized to approve or deny any such changes and such approval shall not be unreasonably withheld. Any additional development or use that is not authorized in this ordinance or extension of the Development Approval Termination Date in Condition A.4. above will require a PUD amendment ordinance adopted by the County Commission.

6. Development and Uses: The following are the only development and uses allowed within the planned unit development and shall be generally located as depicted on Exhibit "B":

Use Category	Phase	Site Plan ID #	Description of development associated with the Use Category	Maximum Quantity/Size
Notes: Phases are E=Existing, P1 = Phase 1, P2 = Phase 2, P3 = Phase 3 or beyond. The Site Plan ID Numbers are shown on Exhibit "B"				
Equestrian Hub (defined as the development and uses that directly support equine guests within the PUD) Permitted uses include animal care, grooming and veterinary services.	E	1	Barns with apartments	9 barns - 3,000 sq ft each
	E	1B	Barns	2 barns - 2,200 sq ft each
	P1	5	Barn with 30 stalls	14,040 sq ft
	P1	10	Portable Barns	4 barns - 3,100 sq ft each
	P3	29	Permanent or portable barn	1 barn – 8,800 sq ft
	E	3	Turf arena (uncovered)	n/a
	E	4	Dirt arena (uncovered)	n/a
	E	15	Horse obstacle course (uncovered)	1
	E	7	Pasture	n/a
	E	8	Paddocks	n/a
	P3	11	Ceremony building	1,500 sq ft

Hospitality and Event Center (defined as the development and uses directly related to the events and retail and hospitality services within the PUD) Permitted uses include public and/or private events (such as, but not limited to, equestrian competitions and training seminars, herding dog trials and classes, livestock exhibitions, equestrian themed weddings and other ceremonies, agricultural and educational camps and nature-based corporate retreats), sale and consumption of alcoholic beverages, and retail areas for sales of tack, carriages, gifts and event related feed, hay, grain and other horse supplies	P2	16A	Spa, Event Storage, Cafe	5,500 sq ft
	P1	16	Wedding garden (uncovered)	n/a
	P2	16B	Courtyard space (uncovered)	n/a
	E and P1	18	All-purpose event center, to include a café, restaurant, cocktail lounge (w/ABC license) and small convenience store	10,000 sq ft
	P1	21	Food Truck and dining complex (w/ABC license)	Approx. 16,000 sq ft area
	P2	23	Show office and administration building	8,800 sq ft
	P1	24	Event Space	Approx. 17,000 sq ft outdoor grassed area
	P2	25 & 25A	Covered Equestrian and Livestock arena and associated outdoor "regrade" area	Arena - 93,500 sq ft
	E	20	Concrete paver parking lot	55 standard spaces and 4 handicapped spaces
Lodging Permitted uses include transient and permanent lodging for workers, guests, participants and patrons of the PUD	E	2	RV sites with water, wastewater and electric hookups. May be covered or uncovered and with or without improved pads	28 sites
	P3	13	RV sites (covered & uncovered)	17 sites
	P2	1A	Equestrian Family Lodging	2,000 sq ft
	P3	9	Equestrian Event Lodging	20 rooms - 9,300 sq ft
	P3	30	Transient rental tree houses	3
	P3	31	Transient rental tiny homes	10
Recreation areas Permitted uses include swimming pools, hot tubs, miniature golf, zip line courses, rope courses, archery, tennis, pickleball, bocce ball, fire pits, barbecue facilities, and wellness/fitness facilities, educational signage, horse drawn carriage rides,	P2	6	Cook-out huts	2
	E	17 & 19	Recreation area with Pool, Hot Tub and pool house, gym, restrooms	30,000 sq ft
	P2	12	Sports courts (uncovered)	n/a
	E	14	Dog Park (uncovered)	n/a
	P3	22	Mini-Golf course (uncovered)	n/a
	E	27	Tower and stairs	500 sq ft

seasonal carriage driving, horseback trail riding and lessons, and similar equestrian uses and passive outdoor recreation use including hiking, bird watching and wildlife viewing	P3	28	Ropes course and archery course (uncovered)	n/a
Infrastructure to support the PUD uses and development	n/a	n/a	Utilities, such as potable water, wastewater and stormwater	n/a
	n/a	n/a	Fencing	n/a
	E	26	Maintenance facility	5,500 sq ft

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7. Setbacks: Setbacks from external property lines are depicted on Exhibit "B," including a 30' setback from the property line for the maintenance facility (Site Plan ID#26.)

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8. Access/road connections: Access to the property is generally depicted on Exhibit "B," but will require review and approval by the Levy County Road Department for any new connections or new improvements related to access to public roads. Any such connections or improvements must be funded by the Property Owner.

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9. Traffic impacts/improvements: If future traffic counts/studies document traffic impacts generated by this development that exceed FDOT's applicable thresholds, then necessary improvements to address those impacts (such as, but not limited to, flashing lights, traffic lights or turn lanes) will require review and approval by the Levy County Road Department. Any such connections or improvements must be funded by the Property Owner.

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10. Internal roads/parking: All ADA-compliant parking areas must be constructed of paved dust-free surfaces, but internal roadways may consist of base rock material and stabilized sub-base materials consistent with the necessary load bearing ratios for the traffic proposed in the final design of the construction plans.

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11. Drainage: Drainage facilities must be designed to implement Best Management Practices where required and in accordance with the Suwannee River Water Management District permitting requirements and any applicable exemptions. Drainage facilities will, to the greatest extent practicable, be low impact design.

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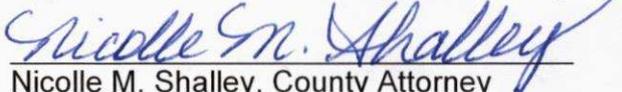
ATTEST:

Danny J. Shipp, Clerk of Circuit
Court and Ex-Officio Clerk to the
Board of County Commissioners



Danny J. Shipp, Clerk

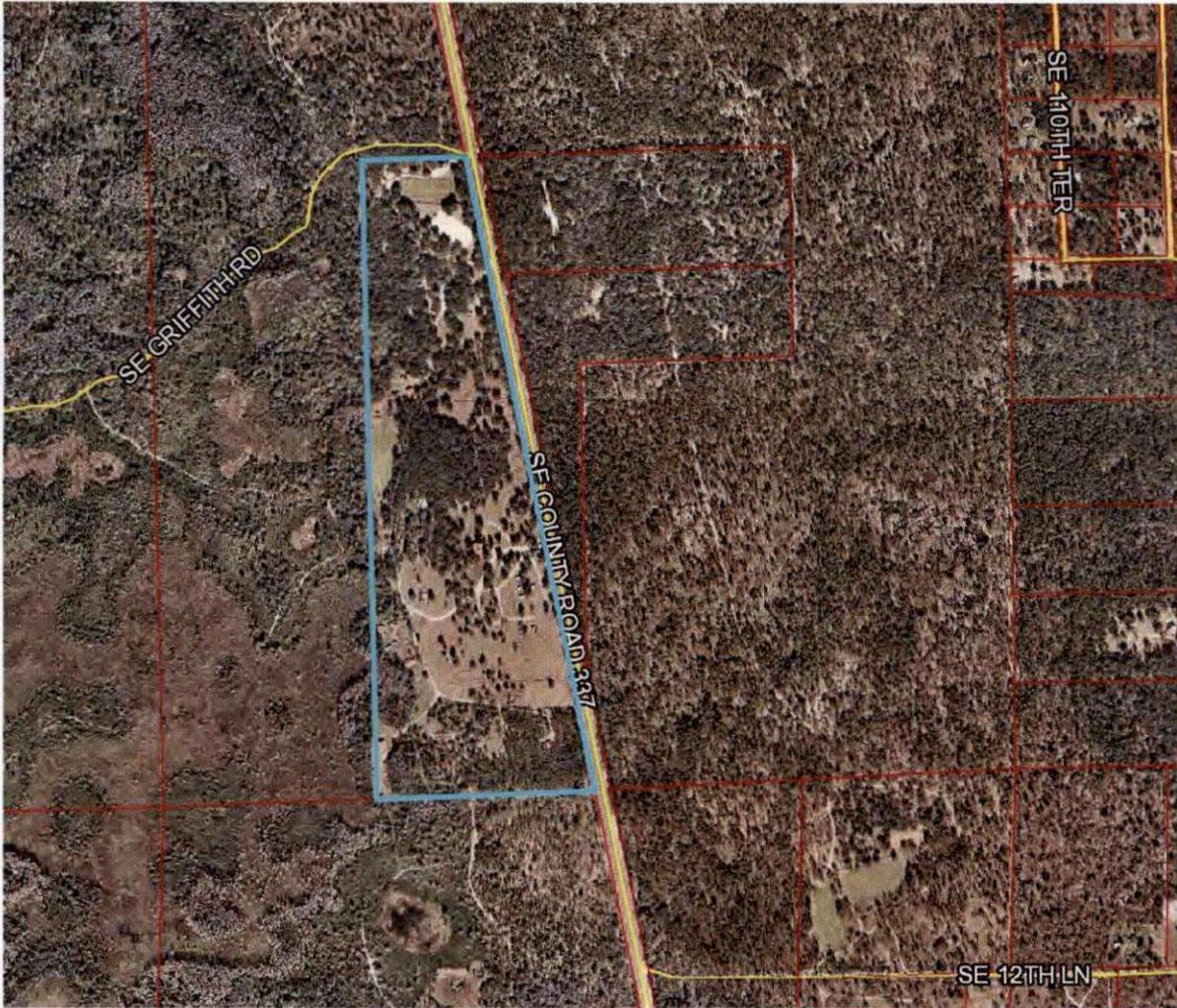
Approved as to form and legal sufficiency



Nicolle M. Shalley, County Attorney *pu*

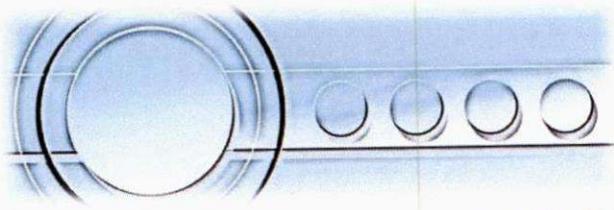
Exhibit "A" to Ordinance Number 2022-8

Black Prong PUD
450 SE County Road 337, Bronson, Florida



**Exhibit "B" to Ordinance Number 2022-8
Black Prong PUD Final Detailed Site Plan**

**Exhibit "C" to Ordinance Number 2022-8
Black Prong PUD Report**



Depew Planning Services, LLC

755 Grand Boulevard, Unit B105-152

Miramar Beach, FL 32550

(239) 850-6937/(239) 849-0779

DDEPEW@DEPEWPLANNING.COM

WWW.DEPEWPLANNING.COM

PROJECT NARRATIVE

BLACK PRONG EQUESTRIAN RESORT, 6851 LLC

PLANNED UNIT DEVELOPMENT APPLICATION

Introduction and Background

The subject property is a 90-acre site located at 450 SE County Road 337. It is located on the west side of County Road 337, approximately 9.5 miles south of Bronson. The property is located in the Goethe State Forest and is the site of an existing equestrian facility. The request is for a planned unit development that will allow the equestrian facilities to be expanded into a full-service equestrian resort. The subject property is designated as F/RR under the Levy County comprehensive plan.



Figure 1: Area Location Map

Currently located on the subject property are a series of pastures and barns, equipment maintenance and storage, paddocks and corrals, a ±10,000 square foot pavilion, a swimming pool and pool house, a bathhouse, 2 barns without apartments, 29 recreational vehicles sites,

9 barns with apartments, and infrastructure to support these uses. Prior approvals for development of the subject property include Special Exceptions SE 5-02, SEA 2-03, SEA 1-05, SEA 02-19 and SEA 02-20. The purpose of the current request is to combine the prior approvals into a single document in addition to providing the final development plan for the site. To that end a request for planned unit development approval has been submitted with a phasing plan that provides for build-out of the equestrian resort facilities by December 31, 2031.



Figure 2: Subject Property

When completed, Black Prong will be a full-service, self-contained equestrian resort, open to serve the public with private and public events scheduled throughout the year. It is intended

for the property to provide lodging options for trainers, participants, guests and patrons, including transient facilities in the form of hotel/motel rooms, 20 room Equestrian Event Lodging Complex, cottages, recreational vehicle sites, and a campground. Dining options at a food truck park and a full-service restaurant and cocktail lounge (serving alcoholic beverages, including beer, wine, and liquor) will be provided. In addition, a convenience store for on-site purchases of supplies for the trainers, participants, guests, and patrons would be provided, along with personal services including laundry facilities, a day spa, hair styling, a gym, and concierge services. A large, covered arena would support equestrian and other training and events, along with tennis and pickleball courts that would accompany the existing pool and bathhouse. Events envisioned would include equestrian competitions and training seminars, herding dog trials and classes, equestrian-themed weddings, various types of agricultural and educational camps, along with local community events and nature-based corporate retreats. Black Prong guests and the public will be able to participate in a wide range of activities, to include equestrian & other livestock training programs and competitions, agricultural themed camps and seminars, trail rides, swimming, tennis, pickleball, miniature golf, horse drawn carriage rides, horseback riding lessons, archery, a ropes course, and other team building exercises as well as spa services.

Items that are approved by right, have been constructed, or approved for use with Outdoor Commercial Recreation Special Exception Amendments and comprise the first phase of the development program (present through 2025):

- 4 single-family residences.
- 40 new RV sites with water, sewer, and 50-amp electric service, some with roofs.
- A 15-room Bed and Breakfast;
- 3 separate horse barns without apartments to accommodate horses brought by event competitors and guests staying in above listed RV spaces or bed and breakfast;
- A covered or uncovered 120' by 120' tennis and pickleball court;
- 3 octagon firepits;
- A 2-bedroom log cabin;
- Addition of a new bathhouse/show office;
- Approx. 10,000 sq. ft pavilion (existing);
- Swimming pool, hot tub and pool house (existing);
- 9 barns with apartments attached (existing from previous owner);
- A bathhouse;
- 2 barns without apartments;
- Equipment maintenance area (existing);
- 17 existing RV spots (existing from previous owner);
- 14 new RV sites. 9 at the Big Oak area, 2 sites across from barns 5 and 6, 2 near barn 1, and 1 at barn 7;
- Remodeling and addition of square footage to 5 existing barns with apartments; and .
- Upgraded outdoor ceremony and event venue area behind the existing pavilion.

Facilities proposed for the final development plan, and which comprise Phase 2 of the development plan (approval date through 12/31/2031):

- The addition of a barn at the Big Oak to service RV sites;
- A food truck courtyard;
- A 10-unit tiny home village for short term rentals;
- A covered arena approximately 220 ft x 425 ft in size;
- Additional octagon firepits;
- A restaurant and cocktail lounge (beer, wine, and liquor);
- A convenience store;
- Completion of the remaining RV pads, with water, sewer, and 50-amp electric service, some with roof structures, up to a total not to exceed 55 sites (This includes the 10 tiny home village mentioned above)
- A transient lodging facility (20 room equestrian event lodging complex, 9 existing barns with apartments, 3 treehouses and the equestrian family lodging building is included in this number) or several separate cottages with full kitchens, not to exceed a total of 33 total transient units for the entirety of the site;
- Corporate ropes and team building courses;
- Miniature golf;
- Day spa;
- Chapel;
- Other resort facilities to support trail riding, carriage rides, horseback riding lessons, archery, etc.;
- Summer camp facilities (to include those for financially and/or physically disadvantaged youth, Special Olympic type events); and
- Accessory uses for support, maintenance, and administration of the resort.

Black Prong is surrounded by the Goethe State Forest, a 53,587-acre state forest named for Mr. J.T. Goethe, from whom most of the land was purchased in 1992 under Florida's Conservation and Recreation Lands (CARL) program. The Florida Forest Service provides for multiple uses of the forest resources including managing the area for timber production, wildlife habitat, outdoor recreation and promoting ecological restoration. The Black Prong facility is ideally located to take advantage of the opportunities for outdoor recreation in a responsible and low impact fashion. The Goethe State Forest is open during daylight hours for visitors to enjoy picnicking, hiking, bicycling, fishing, wildlife viewing, horseback riding and other outdoor activities. Additionally, the proposed resort is proximate to the existing agricultural operations to the east and southeast of the site which have activities including an active steeplechase driving community that hosts carriage driving clinics, daily leisure carriage drives, equestrian poker runs, and other fun carriage drives; barrel racing, horseback sorting, pleasure and trail rides, endurance riding, carriage driving, dressage, hunter and jumper shows, mixed horseback eventing, thoroughbred racehorse training, livestock herding and dog trials, apiculture and honey production, mule driving, and goat yoga, milk and soaps.

Comprehensive Plan

The subject property is located in the Forestry/Rural Residential land use category as shown on the Levy County Future Land Use Map in the comprehensive plan. The Future Land Use Element states, "Forestry/Rural Residential - This category provides for areas predominately used for commercial forestry, accessory and supportive uses to the forestry industry, resource based and/ or non-spectator based recreational uses, conservation uses and very low rural density development, spatially separated from forestry uses. The maximum residential density is one (1) unit per twenty (20) acres except as otherwise provided by Policy 3.4. The minimum parcel size is twenty (20) acres, or parcel of record as of December 31, 1989."

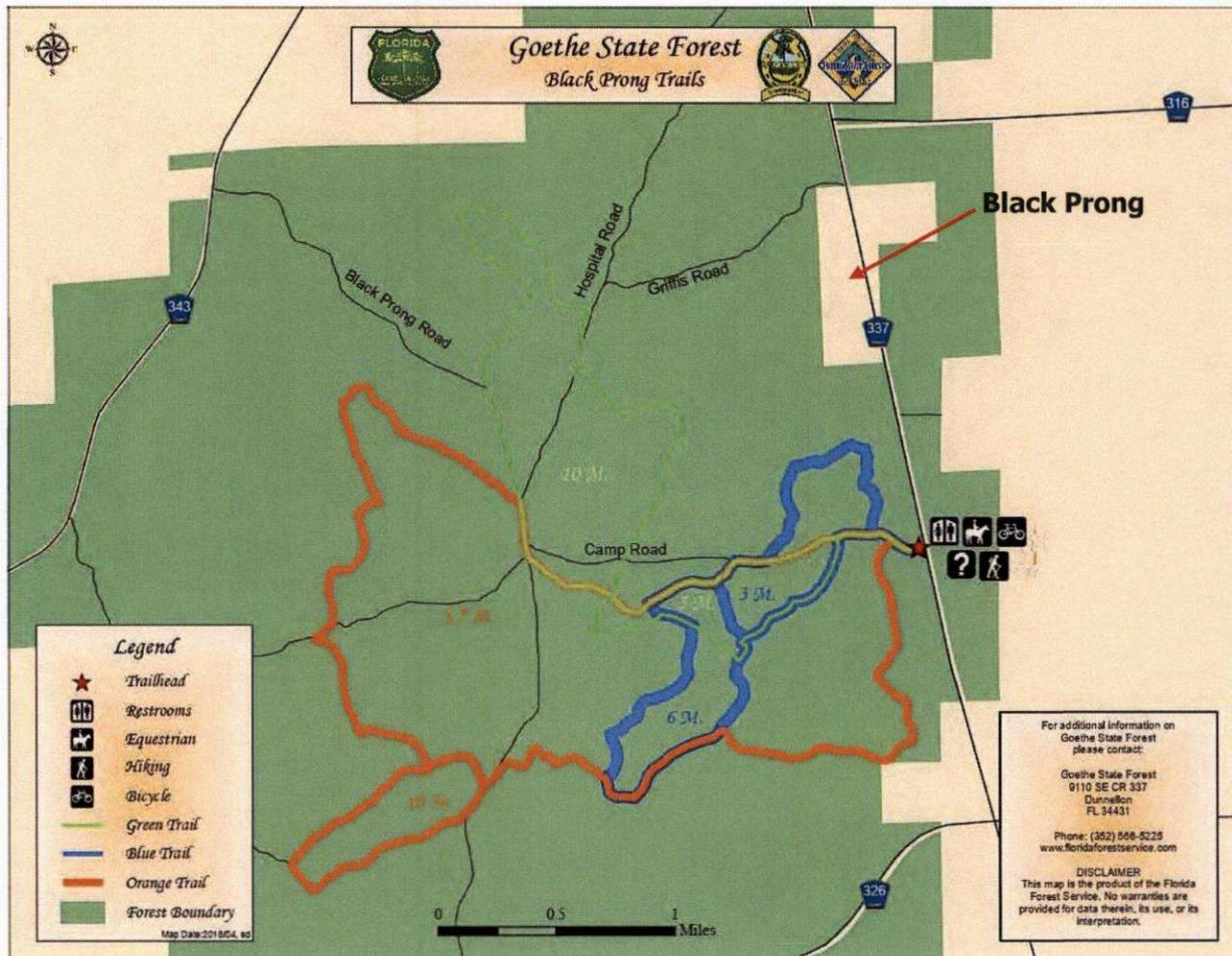


Figure 3: Black Prong Trails, Goethe State Forest

Objective 2 of the Conservation Element of the comprehensive plan states that Levy County will, "Maintain and enhance the environmental, economic and recreational quality of the County by conserving and protecting environmentally sensitive lands, ecological systems, and Natural Reservations." By approving this request, Levy County will assist in providing access

to the Goethe State Forest, a unique public resource, and concentrating that access in an already existing facility uniquely situated to provide public access. This is consistent with Objective 2 as articulated in the Conservation Element.

It is further noted that reviews of the already approved special exceptions were undertaken by the Florida Forest Service, and it is anticipated that a similar review will be undertaken of this application. This procedure is consistent with Policy 7.4 of the Future Land Use Element and Policy 2.2.b of the Conservation Element, both of which indicate that development adjacent to environmentally sensitive lands will be coordinated with appropriate state resource agencies.

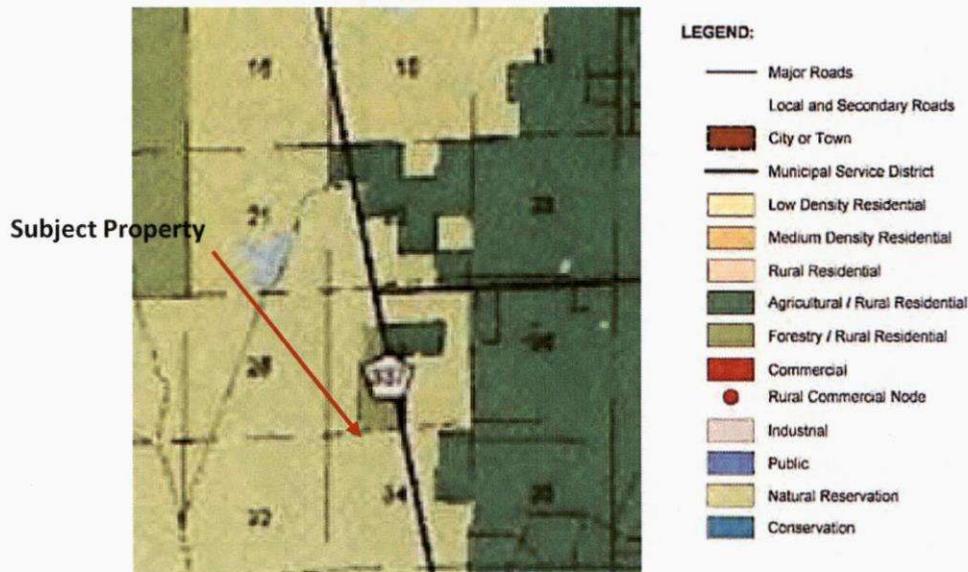


Figure 4: Future Land Use Map Excerpt

The proposed planned unit development will site wastewater treatment facilities in a manner that is consistent with the protection of natural resources and best management practices. This is consistent with Policy 2.9 of the Conservation Element. No central "package" water or wastewater treatment systems are currently proposed. Additionally, consistent with Policy 3.1 of the Conservation Element, negative impacts to wetlands on or adjacent to the subject property will be avoided, and development will be located on soils appropriate for such activity.

The proposed equestrian resort facilities are intended to take advantage of the trails in existence within the Goethe State Forest, providing public access to the wild areas within the Forest. This is consistent with the continuation of the continuing productivity of the Forest and provides a use that is compatible with the preservation of the Forest, consistent with Policy 4.1 of the Conservation Element.

Objective 2 of the Recreation Element of the comprehensive plan indicates that Levy County will, "Coordinate public and private resources to meet the recreational needs based on population growth and the demands generated by new development." The proposed planned unit development will provide additional opportunities for the public to access recreational facilities, taking advantage of the Forest, and helping to implement the County's stated intention of providing increased recreational facilities. Additionally, Policy 3.6 of the Recreation Element states, "The County endorses the acquisition and development of natural areas that will continue to improve the quality of resource-based recreation opportunities, throughout the County. The County is generally opposed to, and does not support, efforts to place large acreage in public ownership with no plans for public utilization." The approval of the request is consistent with the County's intent to improve resource-based recreation opportunities, reflected not only in this Policy, but also in Future Land Use Element Policy 7.1, which provides that "Resource-based and/or activity-based recreation areas plans by the County and/or State will be developed to provide maximum access and utilization by the public."

Policy 1.11 of the Infrastructure Element of the Levy County comprehensive plan as it relates to Private Package Treatment Plants / Residential single-family developments in Municipal Service Districts, states, "Private package treatment plans to serve residential single-family developments, including mobile home developments, shall be prohibited unless compelling information exists to demonstrate that the lack of a package wastewater treatment plan poses a significant health or environmental problem for which there is no other feasible solution Levy County may allow private package treatment plants to serve residential development in Municipal Service Districts on a case by case basis." Because the proposed project is not residential in nature, this policy is inapplicable to the current application. The application is for a commercial/agricultural resort operation with transient, rental housing, commercial uses, and services.

Policy 1.12 states, "Private package plants for non-single-family housing development, travel trailer parks, mobile home parks, congregate living facilities and other residential development outside of single-family residential development in a municipal service district may be permitted consistent with Policy 1.13." This policy is applicable in that a portion of the proposal is for travel trailer type uses as well as the above-described equestrian resort facilities and supporting uses. This policy requires that performance criteria described in Policy 1.13 be implemented as part of the development program. The applicant will commit to implementing all applicable performance criteria as part of the approval conditions.

Outside Municipal Service District/ Private Package Treatment Plant

Policy 1.13 deals with private package treatment plants outside a Municipal Service District and states:

Private package treatment plants are permitted outside the Municipal Service Districts provided that they must meet or exceed the following standards:
standards:

a. Locations:

1. Recognized unincorporated Communities - Permitted in each of the named unincorporated communities and areas designated Commercial on the future land use map.

The subject property is surrounded by the Goethe State Forest, and as such is not an unincorporated community. The location of the proposed eco-resort is unique in that it provides public access to a State resource in a responsible and environmentally sensitive fashion. Further, the area is not designated Commercial on the future land use map.

2. Rural Commercial Nodes – On Strategic Intermodal Systems (SIS) – Permitted at each rural commercial node on the SIS.

The subject property is not on the Florida Intrastate System and is not a commercial node.

On Non-SIS roadway- Must meet or exceed one of the following thresholds:

a. 200 platted lots outside a Municipal Service District, (or homes constructed) within a one-mile radius of the proposed location.

The subject property does not qualify for this standard.

b. 1,000 vehicles per day, average daily traffic on an abutting road.

FDOT traffic counts for 2019 show the average daily traffic on CR 337 at 2,300 vehicles; Black Prong qualifies under this standard. Even so, no private package treatment plan is currently proposed.

c. The distance to any other developed commercial node is two (2) miles or greater.

The closest developed commercial node is over 2 miles from the subject property; Black Prong qualifies under this standard. Even so, no private package treatment plan is currently proposed.

3. For the purpose of Retrofitting - Permitted in instances where "retrofitting" of an existing on-site system is necessary to correct a health hazard or to meet state environmental standards.

Not applicable.

4. Water Dependent Uses - Permitted for water-dependent uses, which for the purposes of this plan are defined as activities which can be carried out only on, in or adjacent to, bodies of water (lakes, rivers, the Gulf, etc.) because the use requires access to the water body for: waterborne transportation, including ports or marinas; recreation; public utilities (electric generation, water supply, etc.); aquacultural; or other uses that are dependent upon large quantities of water or water bodies.

Not applicable.

5. Industrial Areas - Permitted for industrial areas shown on the Future Land Use Map.

Not applicable.

6. Specialized Uses – Institutional, tourist/entertainment, and resource-based recreation.

Black Prong meets this standard, as the proposed uses include both tourist/entertainment uses as well as resource-based recreation due to the activities at Black Prong and the resource-based recreational activities at the adjacent Goethe State Park. Even so, no private package treatment plan is currently proposed.

b. Densities of Development:

In no instance may gross densities be increased above those levels shown for the area on the Future Land Use Map. As used here, gross density is the number of dwelling units divided by the acres in the total development. Subdivisions which predate the comprehensive plan (prior to 1990) are vested and may develop at the platted density.

Increased residential densities are not proposed for the subject property.

c. Design:

General

1. For each wastewater treatment plant to be installed, the applicant based on sound engineering principle, shall demonstrate that the particular design or unit proposed has a history of satisfactory treatment and operation when operated under conditions similar to those anticipated for the subject project.

If a package plant is ultimately used for treatment of wastewater, all design criteria will be implemented in accordance with all applicable requirements. Even so, no private package treatment plan is currently proposed.

Capacity

2. Wastewater treatment plant design shall address variable influent flow conditions, including provisions for treatment of all anticipated wastewater conditions and flows.

If a package plant is ultimately used for treatment of wastewater, all design criteria will be implemented in accordance with all applicable requirements. Even so, no private package treatment plan is currently proposed.

3. Wastewater treatment plants may be restricted to allow operation at no greater than 75% of the design capacity.

If a package plant is ultimately used for treatment of wastewater, all design criteria will be implemented in accordance with all applicable requirements. Even so, no private package treatment plan is currently proposed.

Pretreatment

4. Pre-treatment shall be required for industrial and other waste not classified as domestic wastewater.

If a package plant is ultimately used for treatment of wastewater, all design criteria will be implemented in accordance with all applicable requirements. Even so, no private package treatment plan is currently proposed.

Future Expansion

5. A suitable unobstructed area adjacent to the plant site and not less than twice the area of the plant site shall be reserved for future plant facility needs. This area shall provide for all setbacks, buffers, and other regulatory requirements.

If a package plant is ultimately used for treatment of wastewater, all design criteria will be implemented in accordance with all applicable requirements. Even so, no private package treatment plan is currently proposed.

6. A suitable unobstructed area not less than twice the area required for effluent disposal shall be reserved for future effluent disposal needs. This area shall provide for all setbacks, buffers, and other regulatory requirements.

If a package plant is ultimately used for treatment of wastewater, all design criteria will be implemented in accordance with all applicable requirements. Even so, no private package treatment plan is currently proposed.

Emergency back-up

7. Each wastewater treatment plant must be provided with an emergency back-up power supply capable of providing full plant operations. The back-up power

supply shall be tested and operated for not less than one-hour each week. This weekly operation shall be documented in the facility log.

If a package plant is ultimately used for treatment of wastewater, all design and operational criteria will be implemented in accordance with all applicable requirements. Even so, no private package treatment plan is currently proposed.

Waivers

8. Should specific project conditions warrant, the County may waive certain requirements or impose more stringent and additional design standards. The County will consider waiving requirements only when the applicant can demonstrate that:

a. Alternate standards promote flexibility, economy and are equal to or exceed minimum state requirements for wastewater treatment systems so as to provide reasonable environmental safeguards; and

b. The proposed alternate standards are appropriate for the particular application.

If a package plant is ultimately used for treatment of wastewater, all design and operational criteria will be implemented in accordance with all applicable conditions or requirements. Even so, no private package treatment plan is currently proposed.

d. Facility Monitoring:

Each wastewater treatment plant must be supervised and managed by a licensed sewer plant operator. A log of the supervisory and maintenance activities shall be maintained onsite for inspection by Levy County. An individual in responsible charge of the wastewater treatment plant shall be available on a daily basis, including weekends and holidays.

If a package plant is ultimately used for treatment of wastewater, all design and operational criteria will be implemented in accordance with all applicable conditions or requirements. Even so, no private package treatment plan is currently proposed.

e. Operations/Maintenance:

A firm or individual specializing in the operation, repair and maintenance of wastewater treatment plants must be responsible for the operation and maintenance of the facility at all times. This may be the same firm that conducts monitoring as required by d. above.

If a package plant is ultimately used for treatment of wastewater, all design and operational criteria will be implemented in accordance with all applicable conditions or requirements. Even so, no private package treatment plan is currently proposed.

f. Financial Responsibility:

The owner of a wastewater treatment plant shall demonstrate proof of financial assurance to the satisfaction of the Board. This is intended to provide assurance that the facility will be properly operated and maintained. Such proof will also provide that, in the event of abandonment or other event that necessitates County or public operation of the plant, County and other public financial resources will be protected. The Board reserves the right and authority to deny any project which it considers not to be financially responsible. Financial responsibility may be reviewed on an annual basis.

If a package plant is ultimately used for treatment of wastewater, all financial assurances, design and operational criteria will be implemented in accordance with all applicable conditions or requirements. Even so, no private package treatment plan is currently proposed.

g. Shutdown Order:

If any wastewater treatment plant is not operated in a manner which meets or exceeds regulatory standards or is operated in an unsatisfactory manner as determined by the Board, the Board may order the termination of the Certificate of Occupancy (or Occupational License) for those structures served by the system accompanied by a shut down of the facility.

If a package plant is ultimately used for treatment of wastewater, all design and operational criteria will be implemented in accordance with all applicable conditions or requirements. Even so, no private package treatment plan is currently proposed.

Land Development Code

Section 50-902(a) of the Levy County Land Development Code (LDC) states, "It is the intent of this division to provide flexible land use and design regulations through the use of performance criteria so that small-to-large-scale neighborhoods or portions thereof may be developed within the county that incorporate a variety of residential types and nonresidential uses, and contain both individual building sites and common property which are planned and developed as one entity. Such a development is to be designed and organized so as to be capable of satisfactory use and operation as a separate entity without necessarily needing the participation of other building sites or other common property in order to function as a neighborhood. This division specifically encourages innovations in residential development so

that the growing demands for housing at all economic levels may be met by greater variety in type, design and siting of dwelling and by the conservation and more efficient use of land in such developments.”

The proposed planned unit development incorporates flexible uses along with a unique opportunity to address public access issues to the Goethe State Forest and the riding trails that exist in that publicly owned natural resource. The subject property has already been approved for certain elements of the proposed equestrian resort, and the PUD will incorporate prior approvals while providing a master plan for the full development of the subject property. The plans include single-family residential uses along with several types of transient uses such as a 20 room Equestrian Event Lodging Complex, restaurant, food truck, event venue, convenience store, hotel/motel units, recreational vehicle sites, transient rental cottages, and primitive camping facilities, which collectively will provide the expected conveniences of a traditional neighborhood (consolidating activity onsite and minimizing impact on the county infrastructure) in an atypical setting. All of these will be planned and developed as a single entity, with the primary focus being the equestrian facilities that serve as the primary focus of the proposed development. The additional activities, including team building, camps for disabled and disadvantaged individuals, an event venue, and on-site service facilities represent an innovative approach to addressing eco-tourism with efficient utilization of existing facilities and providing desired amenities necessary for a cohesive neighborhood.

Section 50-902(b) of the LDC states, “This division recognizes that while the standard zoning function (use and bulk) and the subdivision function (platting and design) are appropriate for the regulation of land use in areas or neighborhoods that are already substantially developed, these controls represent a type of pre-regulation, regulatory rigidity and uniformity which may be inimical to the techniques or land development contained in the planned unit development concept.”

The utilization of a PUD for the unique circumstances associated with the subject property is precisely what the regulations anticipate. The need for a flexible set of uses coupled with the specifics of the proposed Sketch Plan provide for the ability to fully realize the attributes associated with the subject property and its juxtaposition with the Goethe State Forest. The area is not a typical neighborhood or one that is substantially developed, and the adoption of a planned unit development for the subject property offers the opportunity to provide flexible development parameters that recognize the ecological values of the surrounding property.

Section 50-902(c) states, “This division also recognizes that the county comprehensive plan contains policies to discourage residential development in agricultural areas, and that through proper planning it should be possible to do so by allowing residential development pursuant to the planned unit development concept. Finally, this division recognizes that there are greater pressures to subdivide agricultural land, as well as general reluctance by agricultural interests to accept additional regulation in the absence of adequate incentives. To provide incentives to agricultural landowners to conserve farmland while also realizing the benefits

from development, the board of county commissioners may, according to the terms of these regulations, uniformly permit higher gross residential densities for planned unit development in the F/RR and A/RR districts than are allowed for conventional development.”

The area in question is zoned for agricultural type uses and will be utilized for agritourism and ecotourism. It is characterized by conservation elements associated with the preservation of the Goethe State Forest while also recognizing the legitimacy of access for the public to this wild area of Florida. Thus, the planned unit development is appropriate due to the need to preserve the agricultural values of the area, consistent with the intent of this portion of the LDC, while recognizing the need to provide ecologically friendly controlled and responsible access to the public resources of the Forest.

Sec. 50-903 of the LDC provides objectives of the planned unit development option as follows:

- (1) A maximum choice in the types of environment, occupancy, tenure (e.g., cooperatives, individual ownership, condominium, leasing), types of housing, lot sizes and community facilities available to existing and potential county residents at all economic levels;

The planned unit development being requested will provide for numerous types of transient housing options, including an Equestrian Event Lodging Complex, hotel/motel units, cottages, recreational vehicle sites, and primitive camping. All of these are intended to provide options for the public to experience an equestrian-themed ecological resort with multiple opportunities for recreation and personal development. The potential for group activities, including camps for disadvantaged individuals, will expand community services for Levy County and provide a unique equestrian experience with environmentally responsible foundations.

- (2) More usable open space and recreation areas;

The development plan proposes to cluster uses and provide a wide alternative set of open space and recreational options for trainers, participants, patrons and guests. The equestrian facilities, access to the Forest, and on-site amenities will provide an agritourism and eco-tourism experience unparalleled in this area.

- (3) More convenience in location of accessory commercial and service areas;

By providing on-site facilities for dining, recreation, event activities, recreational options, and availability of retail necessities, the activities will be kept internal to the subject property. Allowing access to the facilities by the public will also serve to address needs that manifest in the traveling public and residents in the vicinity of the site.

- (4) The preservation of trees, outstanding natural topography and geologic features and prevention of soil erosion;

The subject property is developed as an existing equestrian facility, and the Sketch Plan capitalizes on the existing development to limit off-site impacts. By approving the planned unit development, alternative options for providing access to the Forest will have limited necessity for consideration, and no other site offers the unique location provided by the subject property. The utilization of the site will conform to the existing topography and geologic features in its design, and on-site stormwater management facilities will engage in best management practices to prevent soil erosion and other negative impacts to the surrounding property.

- (5) A creative use of land and related physical development which allows an orderly transition of land from rural to urban uses;

The proposed planned unit development is specifically intended to address the physical conditions of the subject property and the surrounding Goethe State Forest. Approval of the PUD will provide a creative use of the existing lands, recognizing the physical development of the current facilities and prior approvals, and serving to protect the Forest for future generations while allowing controlled access to the public.

- (6) An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing costs;

All infrastructure will be provided on-site, creating a cost-effective means by which the development will realize lower costs associated with providing the services permitted in the PUD.

- (7) A development pattern in harmony with the objectives of the master plan, especially in regard to agricultural land use;

The proposed Sketch Plan is intended to provide an equestrian resort with accompanying uses as described herein to create a development pattern that takes advantage of the agritourism and eco-tourism opportunities presented by the property's unique position within the Goethe State Forest. The low impact development proposed will provide a harmonious development in keeping with the ecological values associated with the Forest and the need to protect the public resource while promoting access and understanding of this unique natural property.

- (8) A more desirable environment than would be possible through the strict application of other articles of this division;

The PUD for the proposed Black Prong Equestrian Village will create a highly desirable agritourist and eco-tourist-based resort with accompanying full-service uses to support the activities associated with such an operation. The application of a standard zoning district to the subject property would provide neither the flexibility nor the assurances associated with the current request. The PUD process is uniquely applicable to the current situation and the subject property.

- (9) The preservation of historic structures through rehabilitation and, where appropriate, conversion to commercial use.

Although there are no historic structures associated with the subject property, there are indeed unique elements with which it is associated due to its location in the Goethe State Forest. Through the Sketch Plan and PUD process, it is possible to ensure that the unique characteristics and features of the site and the surrounding property are maintained and enhanced.

Sec. 50-904 provides for general requirements of a planned unit development request. They are as follows:

- (a) Minimum area. Under normal circumstances, the minimum area requirements to qualify for a planned unit development shall be 20 contiguous acres of land.

The subject property consists of ±90.0 acres.

- (b) Ownership. The tract of land for a project may be owned, leased or controlled either by a single person or corporation, or by a group of individuals or corporations. An application must be filed by the owner or jointly by owners of all property included in a project. In case of multiple ownership, the approved plan shall be binding on all owners.

The deed included with the application demonstrates that the subject property is owned by a single entity.

- (c) Permitted uses. All uses within an area designated as a planned unit development shall comply with the following provisions and the approval of the project concerned:

- (1) Residential uses. Residences may be of any variety of types. In developing a balanced community, the use of a variety of housing types and densities shall be deemed most in keeping with this division. In keeping with the objectives found in section 50-903, the developer must demonstrate that he is reaching as broad an economic market as possible, and the absence of any but middle-income housing and higher in the proposed development shall be considered grounds for disapproval of the

application. In making these determinations, the planning board shall consider the size of the site, its location with respect to community services and facilities, transportation and areawide market surveys as are available from several sources in the county. Developers are further encouraged to avail themselves of such state, federal and other housing programs as may be available to accomplish these objectives.

The requested PUD is not primarily a residential use, although there are 4 single-family dwelling units included in the request. The overall intent of the request is to provide for an equestrian resort facility that will take advantage of its unique location adjacent to the Goethe State Forest. To that end, the prior special exception approvals are being combined with the current Sketch Plan and PUD application to show the eventual build-out of the resort concept. Additionally, uses will include opportunities for all types of groups from every socioeconomic profile to take advantage of the resort facilities and access to the trail riding elements associated with the Forest. Camps for various individuals will also provide opportunities for a diverse set of people to access the facilities and the agricultural and ecological values of the Forest.

(2) Commercial, service and other nonresidential uses. Commercial, service and other nonresidential uses may be permitted. Consideration shall be given to the project as it exists in its larger setting in determining the appropriateness of such uses. All proposed planned unit developments shall provide clustered development and shall document a high percentage of internal capture of vehicle trips through an appropriate mix of land uses. As used in this subsection, the term "internal" specifically excludes access to nonhighway oriented commercial development directly from or to any arterial road as functionally classified by this plan, and it is intended that the majority of commercial development in a planned unit development will be centrally located relative to the boundaries of the proposed development.

The commercial and service uses that make up the primary activities associated with the equestrian resort PUD request will include equestrian stabling, performance, service and care facilities, transient lodging, camping, recreational vehicle sites, event facilities, recreation opportunities, and associated accessory uses. The mix of uses, combined with onsite retail and food services, is intended to capture internal trips, providing a full spectrum of services and resort opportunities onsite to trainers, participants, patrons and guests. Access to the resort will be via CR 337, and internal facilities will be accessed via the main entrance and internal circulation elements contained within the resort itself. The PUD already possesses a variety of prior special exception approvals granting

permission for the majority of requested uses; the current request is intended to fold prior approvals into a single, unified Sketch Plan showing the eventual build-out of the resort facilities on the site.

- (3) Customary accessory uses. Accessory uses such as private garages, storage spaces, recreational and community activities, churches and schools shall also be permitted as appropriate to the development.

As noted on the Sketch Plan, support services, equipment maintenance and storage, barns, paddocks, corrals, feed stations, and related equestrian stabling, performance and service facilities are included in the requested uses. Additionally, administrative offices, caretakers' residences, gathering spaces, open space and additional recreation opportunities have been included in the request and shown on the Plan. The chapel has been shown on the Plan along with areas to support commercial and food service in the form of a full-service restaurant and food truck compound. The Sketch Plan demonstrates that the request is compliant with prior approvals and the intent of the PUD regulations.

- (d) Intensity of land use. In all zoning districts except F/RR (forestry, rural residential) and A/RR (agricultural, rural residential), the gross density of a planned unit development shall be no greater than as provided by schedule 2.

- (1) Within a planned unit development, clustering and increased building heights may be utilized to increase the amount of open space.

Development has been clustered to preserve open space. Permanent structures have been limited in order to further this goal. No additional building height is requested for the purposes of the current application and Sketch Plan.

- (2) Within existing F/RR and A/RR districts, the planned unit development process shall serve as an incentive to developers to retain continued agriculture and open space uses by providing density bonuses. These bonuses may be utilized to increase the gross density, with the density increases directly related to increases in the percentage of gross land area reserved for agricultural and open space use. The density bonuses are presented in schedule 3, schedules 4 and 5 in this subsection show, for various parcel and development sizes, the gross units allowed for F/RR and A/RR zones, respectively.

The equestrian uses that have historically been the use of the subject property are being retained and further expanded with the creation of the equestrian resort shown on the Sketch Plan for the PUD. Density bonuses are not being requested as an increased number of permanent residents are not part of the overall equestrian resort concept.

(3) To qualify for bonuses pursuant to this section, agricultural and open space lands must be under unified control, and, they must be platted and designated on the plat for continued unified control. As used in this subsection, the term "unified control" means a single owner of record.

The subject property is under unified control as that term is defined herein. Although density bonuses are not being requested, the unified control of the subject property will assist in the long-term development and achievement of the conditions of approval associated with the prior special exceptions and the currently requested planned unit development, implementing the intent of this provision of the LDC.

(4) That portion of a planned unit development which has contributed density bonuses may not contribute density bonuses to any other properties in the future, and may not be subdivided or otherwise developed except for uses which are accessory to the principal use.

Residential density bonuses are not being requested as part of this application.

Sec. 50-905(2) of the LDC requires additional documentation and information to accompany the Sketch Plan.

a. Evidence of how the developer's particular mix of land uses meets existing community demands, to include areawide as well as local considerations.

Currently there is a lack of facilities for equestrian themed activities and events in this portion of Levy County. There are considerable event venues and facilities to the east and southeast (e.g. along C.R. 335, C.R. 464, C. R. 545, and U. S. 41), but none of these operations are located in a fashion that can take advantage of the Goethe State Forest and the equestrian trails that exist in the area. Further, the ability to establish camps catering to youth and disadvantaged populations will further goals to serve those segments of the community. The proposed PUD will assist in the implementation of agritourism and eco-tourism and public access to the Forest while also providing jobs and responsible economic growth for Levy County.

b. Evidence of the developer's compliance with respect to the provision of an adequate mix of housing for all economic levels.

The subject application is not primarily a residential planned unit development, but the various options for patrons and guests of the facilities will provide options for all levels and interests for those wishing to experience the equestrian trails of the Forest and the associated activities of an equestrian resort in a natural setting.

c. Evidence that the proposal is compatible with the goals of the county comprehensive plan.

As shown in the discussion above, the proposal is consistent and compatible with the applicable Goals, Objectives and Policies of the Levy County comprehensive plan.

- d. General statement as to how common open space is to be owned and maintained.

The facilities will be owned and maintained by a single entity. There is no intention of selling off any part of the facility.

- e. If the development is to be staged, a general indication of how the staging is to proceed. Whether or not the development is to be staged, the plan of this section shall show the intended total project.

The phasing plan has been included as part of the Sketch Plan and discussed above.

- f. Evidence of any sort in the applicant's own behalf to demonstrate his competence to carry out the plan and awareness of the scope of such a project, both physical and financial.

The current operators have successfully operated the current facilities and are expanding the offerings to the public based upon the prior special exception approvals. The owning entity has obtained the necessary capital backing to implement both phases of the Sketch Plan.

- g. Average and maximum drainageway and streamflow discharges before and after development will be provided, based upon estimates of a registered engineer.

Stormwater features are shown on the Sketch Plan and all applicable regulations regarding stormwater management will be implemented in the final construction plans. Drainage facilities will be designed to implement Best Management Practices where practicable and in accordance with the permitting requirements of the applicable agency with oversight (including any applicable exemptions). Drainage facilities will, to the greatest extent practicable, be low impact design, and 100% impervious surfaces will be limited to areas where no alternative options are available.

- h. Documentation of environmentally unique or endangered areas and the protection of natural and historical resources.

The site has been used for ongoing operations of the equestrian facilities. No unmitigated impacts to wetlands are anticipated. Best Management Practices will be used to retain and manager storm water.

100-Foot Buffer

Section 50-189(c), Natural Reservation Protection, Required Buffer, Levy County Code, prohibits construction of structures within a 100-foot buffer. On August 6, 2019, the County Commission approved a variance which allowed an equipment shed to be located within the 100-foot buffer at a minimum of 30 feet from the Subject Property line. This variance has not been rescinded and it still in effect. Additionally, six (6) existing barns built in approximately

2006 are located within the 100-foot buffer but are grandfathered uses under the Code. Due to space constraints on the parcel, Black Prong further seeks to locate the equestrian family lodging building within the 100-foot buffer at a minimum 30 feet from the Subject Property line. Location of these structures as described would not work unnecessary or undue hardship on the applicant but would make possible the reasonable use of the land the structures. The Subject property is bordered on three sides by the Goethe State Forest which is a unique setting where the requested buffer allowance will not be injurious to the area including the Forest, the area involved or detrimental to the public welfare, and will be in harmony with the general intent and purpose of Section 50-189(c), and is consistent with the comprehensive plan.

Conclusions

1. As demonstrated herein, the proposal is consistent, compatible, and conforms to the Levy County comprehensive plan.
2. As shown herein, the proposal meets the intent and objectives of planned development as expressed in sections 50-902 and 50-903 as well as all other applicable sections of the land development code.
3. The application has been properly filed, public hearings will be properly conducted with appropriate notice, and the proposal meets all the general requirements of section 50-904.
4. The proposal is conceptually sound in that it meets local and areawide needs and it conforms to accepted design principals in the proposed functional roadway and pedestrian system, land use configuration, open space system, drainage system and scale of the elements both absolutely and to one another.
5. There are adequate services and utilities available or proposed to be made available in the development.
6. The proposed conditions are rationally related to the request and the impacts anticipated from the proposed development.
7. Adequate buffers and conditions have been implemented to create a compatible condition between the final development of the subject property and the neighboring properties. The proposal includes a request to confirm in the PUD approval the August 6, 2019, variance of the buffer requirements found in Section 50-189(c), with allowances for limited additional structures within the 100-foot buffer but at a minimum of 30-feet from the Subject Property line. Location of these structures as described would not work unnecessary or undue hardship on the applicant, but would make possible the reasonable use of the land the structures in harmony with the general intent and purpose of Section 50-189(c).

Proof of Publication

from the
Levy County Citizen News
Chiefland, Levy County, Florida
PUBLISHED WEEKLY

STATE OF FLORIDA
COUNTY OF LEVY
Before the undersigned authority personally appeared

Tonya Knight and/or Jeanne Ethridge and/or Erica Springer

Of the Levy County Citizen News, a newspaper published weekly at Chiefland, in Levy County, Florida, that the attached copy of advertisement being a public notice in the matter of the

Ad# 50026804

Description: 8641-0303 LCC ORD 2022-8 NOTIC

Court, was published in said newspaper in the issue of

Date(s) of publication: March 03, 2022

Affidavit further says that the Levy County Citizen is a Newspaper published at Chiefland in said Levy County, Florida, and that the said newspaper has heretofore been continuously published in Levy County, Florida, each week and has been entered as second class mail matter at the post office in Chiefland in said Levy County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The forgoing instrument was acknowledged before me.

This 7th day of March 2022

By: Tonya Knight and/or Jeanne Ethridge
and/or Erica Springer

who appeared by (✓) means of physical presence or () via
online notarization.

Notary Public

8641-0303 LCC ORD 2022-8
NOTICE OF ENACTMENT OF

THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY FLORIDA, NOTICE IS HEREBY GIVEN the proposed Ordinance Amending The Zoning Map Atlas for Levy County, the title for which here after appears, will be considered for Enactment by the Board of Levy County Commissioners, at a public hearing on Tuesday, March 22, 2022 at 9:00 a.m. or as soon thereafter as the same may be heard, at the Levy County Government Center Auditorium, 310 School Street, Bronson, Florida. Copies of said Ordinance may be inspected by any member of the public at the Office of the Board of County Commissioners located at 310 School Street, Bronson, Florida, during regular business hours or contact by phone at (352) 486-5218. On the date, time and place first above-mentioned, all interested persons may appear and be heard with respect to the proposed Ordinance.

ORDINANCE NUMBER
2022-8

AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE ZONING MAP ATLAS BY OVERLAYING THE PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT ON CERTAIN REAL PROPERTY CONSISTING OF 90 ACRES, MORE OR LESS, GENERALLY LOCATED AT 450 SE COUNTY ROAD 337, BRONSON, FLORIDA; ADOPTING A PUD FINAL DETAILED SITE PLAN, A PUD REPORT AND DEVELOPMENT CONDITIONS; PROVIDING FOR ENFORCEMENT; PROVIDING DIRECTIONS TO THE COUNTY COORDINATOR; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR EXCLUSION FROM CODIFICATION; PROVIDING DIRECTIONS TO THE CLERK AND PROVIDING AN EFFECTIVE DATE.

All persons are advised that, if they decide to appeal any decisions made at this public hearing, they will need a record of the proceedings. For such purpose, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring reasonable accommodations to participate in this meeting should contact the County Commissioners Administration Office at (352) 486-5218. Russell Meeks Jr., Chairman Levy Co. Board of County Commissioners.

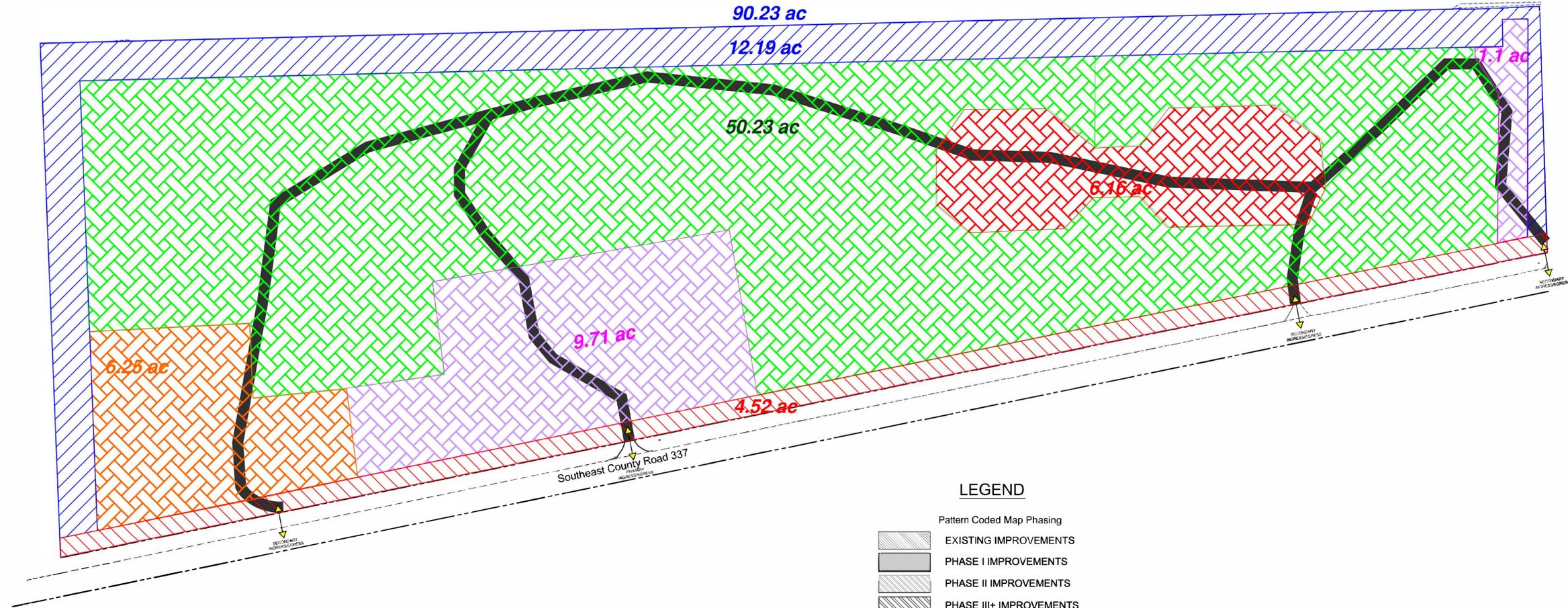
Published on March 03, 2022



MARIA A. PARKS
Commission # HH 099773
Expires April 20, 2025
Bonded Thru Budget Notary Services



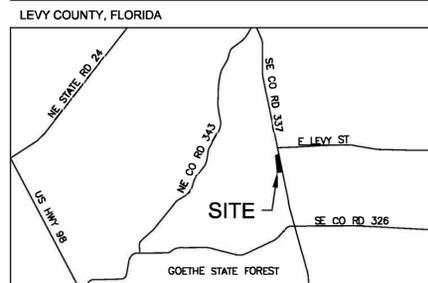
Attachment B - Proposed Master Plan Sketch



LEGEND

- Pattern Coded Map Phasing
- EXISTING IMPROVEMENTS
- PHASE I IMPROVEMENTS
- PHASE II IMPROVEMENTS
- PHASE III+ IMPROVEMENTS
- Existing Septic Fields

SITE LOCATION / VICINITY MAP



PROJECT DATA TABLE

AREA DESIGNATION	DESCRIPTION	SITE AREA	BLDG. AREAS	MAX BLDG. HEIGHT	PUD MODIFICATION CONSIDERATION
	EQUESTRIAN / AGRICULTURAL CORE	50.23	±166,140	35 FEET	YES
	BUFFERS	16.71	n/a	35 FEET	YES
	HOSPITALITY & LODGING org, red, pur	23.29	±55,800	35 FEET	YES
N/A	TOTAL	90.23	±223,000	N/A	N/A

ALL FACILITIES WILL USE WELL AND SEPTIC

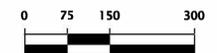
PLANNED DEVELOPMENT CONDITIONS

1. LAND USE AREAS SHALL BE AS GENERALLY DEPICTED ON THE PUD ZONING MASTER PLAN AND/OR FINAL SITE PLAN AND MAY BE ADJUSTED TO ACHIEVE APPROVABLE ENGINEERING DESIGNS OR PERMITTING REQUIREMENTS;
2. EQUESTRIAN AND ASSOCIATED AGRICULTURAL USES, WHICH ARE THE PRIMARY ACTIVITIES, CAN OCCUR IN ANY LAND USE AREA IN BOTH PASSIVE AND ACTIVE MANNERS. ASSOCIATED ACCESSORY USES, SUCH AS BUT NOT LIMITED TO, RECREATIONAL ACTIVITIES, TRAIL RIDING, TRAINING, EDUCATIONAL CLASSES, HIKING, CYCLING, NATURE ECOTOURISM, AND OTHER RECREATIONAL PURSUITS CAN OCCUR IN ANY LAND USE AREA.
3. INFRASTRUCTURE AND SUPPORTIVE MAINTENANCE USES, WHICH ARE NECESSARY, RELATED, AND ACCESSORY TO THE PRIMARY ACTIVITIES AND USES, CAN OCCUR IN ANY LAND USE AREA AND SHALL BE APPROPRIATELY AND LOGICALLY SCREENED FROM VIEW IF WARRANTED, IN CONCERT WITH THE FACILITY'S CONTINUED AND ONGOING EQUESTRIAN AND ASSOCIATED AGRICULTURAL CHARACTER AND FUNCTION;
4. SITE INGRESS/EGRESS ON COUNTY ROAD 337 SHALL BE AS GENERALLY DEPICTED ON THE PUD ZONING MASTER PLAN AND/OR FINAL SITE PLAN AND MAY BE ADJUSTED TO ACHIEVE APPROVABLE ENGINEERING DESIGNS OR PERMITTING REQUIREMENTS, IN ACCORDANCE WITH LEVY COUNTY PUBLIC WORKS AND FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) ACCESS MANAGEMENT AND DRIVEWAY PERMITTING STANDARDS AND MAY BE ADJUSTED TO COMPORT WITH SITE-SPECIFIC OR OPERATIONAL REQUIREMENTS;
5. SITE ACCESS, FOR MOTORIZED PASSENGER AND COMMERCIAL VEHICLES, SHALL GENERALLY BE AS DEPICTED ON THE SITE PLAN ALONG THE SITE'S EASTERN PROPERTY LINE;
6. ELECTRONIC AND MANUAL SECURITY GATES SHALL BE EMPLOYED ALONG THE SITE'S PERIMETER TO CONTROL VEHICULAR TRAFFIC ENTERING/DEPARTING FROM THE SITE. FIRST RESPONDERS SHALL ENTER VIA STANDARDIZED KNOX BOXES OR COMPARABLE ELECTRONIC ACCESS MECHANISMS;
7. THE APPLICANT SHALL PROVIDE LEVY COUNTY EVIDENCE OF APPROVED SUWANNEE RIVER WATER MANAGEMENT DISTRICT (SRWMD), OTHER REGULATORY AGENCIES, AND OTHER RELEVANT PERMITS, LETTERS FROM SAME EXEMPTING THE PROJECT FROM AGENCY PERMITTING, AND OPERATIONAL LICENSING UPON REQUEST;
8. ON-SITE MAINTENANCE, VEGETATIVE MANAGEMENT, AND ACTIVE SILVICULTURE PRACTICES SHALL FOLLOW BEST MANAGEMENT PRACTICES (BMPs);
9. DURING THE COURSE OF OPERATIONS, ALL LAND AREAS AND ACTIVITIES SHALL BE MONITORED AND MAINTAINED IN ACCORDANCE WITH EQUESTRIAN AND AGRICULTURAL BMPs, WHICH SHALL BE CONSTRUCTED AS:
 - a. LAND AREAS MUST BE FREE OF INVASIVE EXOTICS, EROSIONAL AREAS, AND SUITABLE FOR NATIVE VEGETATION AND/OR REVEGETATION DURING THE COURSE OF PASTURE ROTATION AND GRAZING AREAS. VEGETATION MAY BE PLANTED TO PREVENT EROSION AND PROMOTE THE LAND'S CONTINUED ECOLOGICAL DIVERSITY;
 - b. STORMWATER MANAGEMENT FACILITY AREAS MAY BE UTILIZED IN CONJUNCTION WITH COUNTY, SRWMD, AND OTHER REGULATORY AGENCIES CRITERIA FOR ANY PROPOSED ADAPTIVE USE OR REUSE OF THE LAND AND STRUCTURES AND CAN EXIST IN ANY LAND USE AREA; AND
 - c. BERMING AND BUFFERING, MAY EXIST ALONG CR 337 FOR VISUAL SCREENING, BUFFERING/BEAUTIFICATION, AND SOUND ATTENUATION AND CAN EXIST IN ANY LAND USE AREA.
10. THE DEVELOPMENT APPROVAL GRANTED BY THIS ORDINANCE EXPIRES ON MAY 1, 2045. DEVELOPMENT AUTHORIZED BY THIS ORDINANCE NOT COMPLETED AND ISSUED A CERTIFICATE OF COMPLETION OR CERTIFICATE OF OCCUPANCY, AS APPLICABLE, BY THAT DATE IS NO LONGER AUTHORIZED. EXTENSIONS REQUESTED NO LESS THAN 30 DAYS PRIOR TO THE EXPIRATION MAY BE GRANTED BY THE LEVY COUNTY BOARD OF COUNTY COMMISSIONERS.
11. THE PROPERTY AND/OR THE PUD MAY BE TRANSFERRED TO A RELATED ENTITY OR INDIVIDUAL FOR ESTATE AND TAX PLANNING PURPOSES.

LEGAL DESCRIPTION

DESCRIPTION: (PER COMMITMENT)
 ALL THAT PORTION OF THE E 1/2 OF SW 1/4 AND THE SE 1/4 OF NW 1/4 OF SECTION 27, TOWNSHIP 13 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA LYING WEST OF LEVY COUNTY ROAD C-337 (F/K/A STATE ROAD S-337).

GRAPHIC SCALE



NIV5
 11801 Research Drive
 Alachua, Florida 32615
 (352) 331-1976
 www.niv5-inc.com
 est. 1988
 FLORIDA
 LA0001683

SCALE: 1"=150'
 THIS PLAN IS TO BE USED ONLY FOR THE PROJECT AND NOT FOR ANY OTHER PURPOSES. THE SITES, ADJUST SCALES ACCORDINGLY.

DATE: 02/14/2025 - INTERNAL REVIEW DRAFT

**PROPOSED SKETCH PLAN
 ZONING MASTER PLAN**

DEVELOPER: BLACK PRONG EQUESTRIAN VILLAGE
 ARCHITECT: N/A
 PLANNER: NIV5
 PROJECT: PUD MASTER PLAN
 SHEET TITLE: UPDATED PUD MASTER PLAN
 SHEET NUMBER: 24-0221

SHEET NO.: **SP-01**



Attachment C - Current Suwannee River Water Management ERP



SUWANNEE RIVER

WATER MANAGEMENT DISTRICT

September 10, 2024

Judy Lewis
6851 LLC
3890 SE 148th Ter
Morrison, FL 32668-3283

SUBJECT: Permit Number ERP-075-234951-4
Black Prong Equestrian Village

Dear Judy Lewis:

Enclosed is your permit issued by the Suwannee River Water Management District on September 10, 2024. This permit is a legal document and should be kept with your other important documents. Permit issuance does not relieve you from the responsibility of obtaining any necessary permits from any federal, state, or local agencies for your project.

Noticing Your Permit:

For noticing instructions, please refer to the noticing materials in this package regarding closing the point of entry for someone to challenge the issuance of your permit. Please note that if a timely petition for administrative hearing is filed, your permit will become non-final and any activities that you choose to undertake pursuant to your permit will be at your own risk.

Compliance with Permit Conditions:

To submit your required permit compliance information, go to the District's website at <https://permitting.sjrwmd.com/srepermitting/jsp/start.jsp>. Click to sign-in to your existing account or to create a new account. Select the "Apply/Submit" tab, select "Submit Compliance Data", enter your permit number, and select "No Specific Date" for the Compliance Due Date Range. You will then be able to view all the compliance submittal requirements for your project. Select "the compliance item that you are ready to submit and then attach the appropriate information or form. The forms to comply with your permit conditions are available at floridaswater.com/permitting under the section "Handbooks, forms, fees, final orders". Click on forms to view all permit compliance forms, then scroll to the ERP application forms section and select the applicable compliance forms. Alternatively, if you have difficulty finding forms or need copies of the appropriate forms, please contact the Resource Management Division at (386) 362-1001.

Compliance with Other Permitting Programs:

This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit.

The Suwannee River Water Management District did not issue a National Pollutant Discharge Elimination System (NPDES) permit for this project. If this project meets the thresholds such that a NPDES permit is required, you must apply to the Florida Department of Environmental Protection directly. More information about NPDES permits may be found online at <https://floridadep.gov/water/stormwater>. **Failure to obtain a NPDES permit prior to construction could subject you to enforcement action by that agency.**

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For projects which involve wetlands or surface waters, the Suwannee River Water Management District did not issue a federal authorization for use or impacts to wetlands under federal jurisdiction, this project. Therefore, you must apply directly to the US Army Corps of Engineers (USACE). More information about USACE permitting may be found online at <https://www.saj.usace.army.mil/>. **Failure to obtain USACE authorization prior to construction could subject you to federal enforcement action by that agency.**

Transferring Your Permit:

Your permit requires you to notify the District in writing within 30 days of any change in ownership or control of the project or activity covered by the permit, or within 30 days of any change in ownership or control of the real property on which the permitted project or activity is located or occurs. You will need to provide the District with the information specified in rule 62-330.340, Florida Administrative Code (F.A.C.). Generally, this will require you to complete and submit Form 62-330.340(1), "Request to Transfer Permit".

Please note that a permittee is liable for compliance with the permit before the permit is transferred. The District, therefore, recommends that you request a permit transfer in advance in accordance with the applicable rules. You are encouraged to contact District staff for assistance with this process.

Thank you and please let us know if you have additional questions. For general questions contact us at (386) 362-1001.

Sincerely,



Hugh Thomas
Executive Director

Enclosures: Permit

cc: District Permit File



SUWANNEE RIVER

WATER MANAGEMENT DISTRICT

ERP Individual Permit

PERMITTEE:

Judy Lewis
6851 LLC
3890 SE 148th Ter
Morriston, FL 32668-3283

PERMIT NUMBER: ERP-075-234951-4**DATE ISSUED:** September 10, 2024**DATE EXPIRES:** September 10, 2029**COUNTY:** Levy**TRS:** S27 T13S R17E**PROJECT:** Black Prong Equestrian Village

Upon completion, the approved entity to which operation and maintenance maybe transferred pursuant to rule 62-330.310 and 62-330.340 or 40B-4.1130, Florida Administrative Code (F.A.C) shall be:

Judy Lewis
6851 LLC
3890 SE 148th Ter
Morriston, FL 32668-3283

Based on the information provided to the Suwannee River Water Management District (District), the subject proposed project has met the conditions of issuance as found in subsection 62-330.301, subsections 62-330.407 through 62-330.635, or subsection 40B-4.3030, F.A.C. The permit is hereby in effect for the activity description below:

This after the fact permit authorizes the construction of 1.5 acres of impervious area on a total project area of 90 acres and the construction, operation, and maintenance of a stormwater management facility serving a total of 12.86 acres of impervious area. The project shall be constructed in a manner consistent with the application package, plans, and calculations submitted and certified by Michael Hoffman, P.E. of Wright-Pierce on or before September 9th, 2024.

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As the permittee and/or operation and maintenance entity, it is your responsibility to ensure that adverse off-site impacts do not occur either during or after the construction. Any additional construction or alterations not authorized by this permit may result in flood control or water quality problems both on and off site and will be a violation of District rule.

You and any other substantially affected persons are entitled to request an administrative hearing or mediation. Please refer to the enclosed notice of rights.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the District staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in paragraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

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6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex — “Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or
 - b. For all other activities — “As-Built Certification and Request for Conversion to Operational Phase” [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the District in writing of changes required by any other regulatory District that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under chapters 253 and 258, F.S. Written authorization that requires formal execution by the

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Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the District in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, District staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the District will require the

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permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with section 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
19. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.
20. The permittee must provide the District with documentation demonstrating that 0.14 freshwater forested mitigation credits have been debited from the Florida Gulf Coast Mitigation Bank ledger before the start of any construction and within 60 days of issuance of this permit.
21. In the event that the permittee does not successfully complete the transaction to obtain 0.14 mitigation credits from the Florida Gulf Coast Mitigation Bank, the permittee must obtain a permit modification to provide alternative mitigation
22. Permittee shall construct the portion of the permitted stormwater system that treats and attenuates the stormwater associated with the clubhouse and clubhouse parking lot within six months of permit issuance.

WITHIN 30 DAYS AFTER COMPLETION OF THE PROJECT, THE PERMITTEE SHALL NOTIFY THE DISTRICT, IN WRITING, THAT THE FACILITIES ARE COMPLETE.

AUTHORIZED BY: Suwannee River Water Management District

By:



Hugh Thomas
Executive Director

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NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, (F.S.), before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 F.S. Pursuant to Rule 28-106.111, Florida Administrative Code, (F.A.C.), the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, F.A.C.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, F.A.C., the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, F.A.C.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), F.S., where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, F.A.C.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), F.S., where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, F.A.C.
5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, F.A.C.
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, F.A.C.
8. Pursuant to Section 120.68, F.S., a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.

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9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, F. S., may seek review of the order pursuant to Section 373.114, F.S., by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.

10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.

11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent to:

Judy Lewis
6851 LLC
3890 SE 148th Ter
Morrison, FL 32668-3283

This September 10, 2024



Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP-075-234951-4

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NOTICING INFORMATION

Dear Permittee:

Please be advised that the Suwannee River Water Management District (District) has not published a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit to file a petition challenging the issuance of the permit.

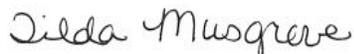
To close the point of entry for filing a petition, you may publish (at your own expense) a onetime notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice, the time to challenge the issuance of your permit will not expire.

A copy of the notice and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit as proof of publication. In accordance with 40B-1.1010(4), F.A.C., a copy of the affidavit shall be provided to the District within 14 days of publication. A scanned copy of the affidavit may be forwarded to Tilda Musgrove by email at tjm@srwmd.org (preferred method) or send the original affidavit of publication to:

Tilda Musgrove
Resource Management
9225 CR 49
Live Oak, FL 32060

If you have any questions, please contact me at 386.362.1001.

Sincerely,



Tilda Musgrove
Business Resource Specialist
Resource Management

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NOTICE OF AGENCY ACTION TAKEN BY THE
SUWANNEE RIVER WATER MANAGEMENT DISTRICT

Notice is given that the following permit was issued on _____:
(Name and address of applicant) _____
permit# _____. The project is located in _____ County, Section
_____, Township _____ South, Range _____ East. The permit authorizes a surface
water management system on _____ acres for
_____ known as
_____. The receiving water body is _____.

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40BB-1.1010, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the Resource Management Business Resource Specialist at District Headquarters, 9225 CR 49, Live Oak FL 32060 or by e-mail to tjm@srwmd.org, within twenty-one (21) days of newspaper publication of the notice of intended District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28106, F.A.C. The District will not accept a petition sent by facsimile (fax). Mediation pursuant to Section 120.573, F.S., is not available.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Live Oak, FL during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the next regular District business day.

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40B-1.1010, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, you may request the Notice of Rights for this permit by contacting the Business Resource Specialist in the Division of Resource Management (RM), 9225 CR 49, Live Oak, FL 32060, or by phone at 386.362.1001.

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