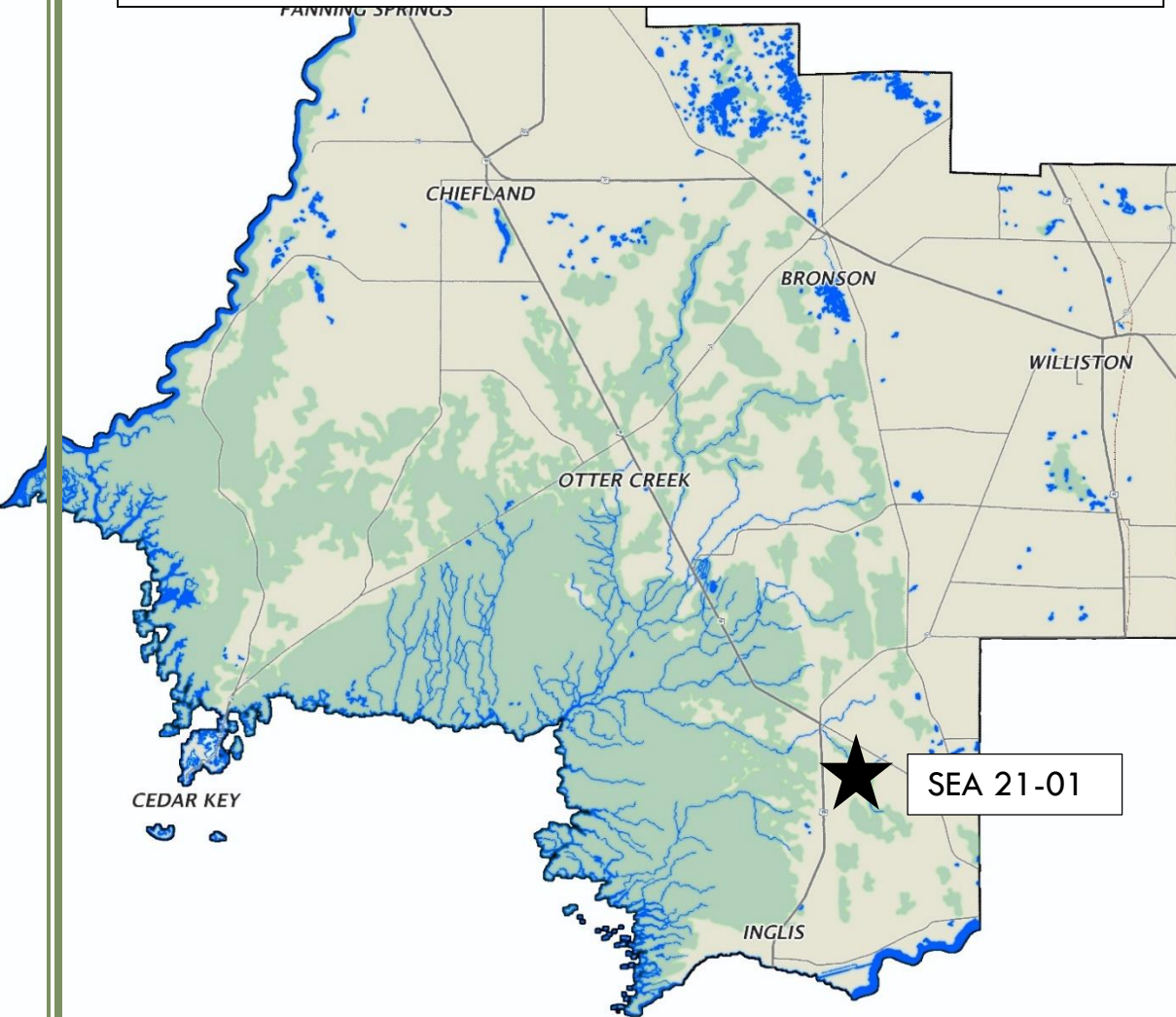


Levy County Staff Report for JFos LLC West Florida  
Off-Road AKA Wells/Horse Hole

Special Exception Amendment (SEA 21-01)



PREPARED BY  
LEVY COUNTY  
PLANNING AND  
ZONING  
DEPARTMENT  
AUGUST 18,  
2021; BOCC  
REVISION  
SEPTEMBER 21,  
2021

FOR THE LEVY  
COUNTY BOARD  
OF COUNTY  
COMMISSIONERS

**LEVY COUNTY PLANNING AND ZONING DEPARTMENT  
STAFF REPORT**

JFos LLC West Florida Off-Road AKA Wells/Horse Hole Special Exception Amendment (SEA 21-01)

To: Levy County Board of County Commissioners  
From: Stacey Hectus, Planning and Zoning Director

Applicant/Owner: Heather Hosfeld on behalf of JFos LLC dba West Florida Off-Road Park

Proposed Project Name: West Florida Off-Road Park

Legal Description: E1/2 of NE1/4 less that part East of US 19-98, and the SW1/4 of the NE 1/4 and SE 1/4, less that part East of US 19-98, less the Southern 1039.73 Feet thereof, and less tracts sold, Section 36, Township 15, Range 16E

Parcel ID Number: 02843-000-00

Total Project Area: 102 acres more or less

Situs Address: 13208 SE HIGHWAY 19  
INGLIS 34449

Current Zoning Designation: "FRR" Forestry/Rural Residential

Existing Use of Property: Outdoor Commercial Recreation via SE 5-03, SEA 1-04 and SEA 1-06

Commission District 3: Former Commissioner Mike Joyner

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**Staff Review of the Application:**

This Special Exception Amendment application (SEA 21-01) is to amend a previously approved Special Exception SE 5-03, as previously amended by SEA 1-04, SEA 1-06 which allowed outdoor commercial recreation with conditions.

The Special Exception Amendment use of the property is a mud-bog for ATV/Side-by-Side/Truck enthusiasts.

The property was recently purchased by JFos, LLC. This property is currently being used as an outdoor commercial recreation facility for the use of a mud bog. Some of the uses are: mud bogging in ATV's, Side-by Sides, Trucks and other associated activities. They wish to remove the previous approval of having paintball activities on site. Since the new ownership, that is not an activity they wish to pursue.

**History and New Request for SEA 21-01:**

**Brief History of Past Special Exception/Amendments to the property (all past approvals are found in your packet)**

The original **Special Exception (5-03)** for Outdoor Commercial Recreation for a Mud Bog for mud-bogging was approved in 2003 via a request from previous owner Mr./Mrs. Wells. Additionally, as part of the original approval there were minimum deputy and EMS requirements. These can be found attached but basically it was approved as follows: two off-duty deputies onsite during all events for traffic and crowd control to begin the business, and adjust as recommended by the Sheriff's Department. The applicant shall give two weeks notice of all events to the Levy County Sheriff's Office. Provide onsite, at all times of operation, at least one certified EMT or paramedic, or a licensed physician, with all necessary equipment to provide first aid to any injured person. All compensation will be paid by owners to both entities.

**SEA 1-04** – Request to add Sundays as part of the days of operation. This was approved by the Planning Commission and the Board of County Commissioners. They were allowed to operate no more than one weekend each month being Saturday and the immediate Sunday following and may operate on the following legal holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day and Veterans Day. Hours of Operation were between 10:00 am to Sunset.

**SEA 1-06** – Request for an additional weekend a month for a total of two weekends plus all holiday's recognized by Levy County, primitive camping, self-contained camping, and adding other commercial and/or recreational uses of the property not currently permitted in F/RR zoning district, such as, but not limited to paintball weekend, car shows and concerts.

The additional weekend for a total of two weekends, non-consecutive were approved. The request for paintball weekend was also approved. The primitive camping was found not to be permitted as it is subordinate to Outdoor Passive Recreation and this is Outdoor Commercial Recreation. Additionally, the applicant did not show a site plan as to where the sites would be. Additionally, primitive camping is required to have certain minimum sanitary requirements that were not addressed. Additionally, based on review of this special Exception amendment the holidays approved were New Years, Memorial Day, Fourth of July, Labor Day and Veterans Day.

However, the car shows and concerts the Board believed could be handled via out Special Event Permit (in process of editing and adopting) and/or our Special Entertainment Permit.

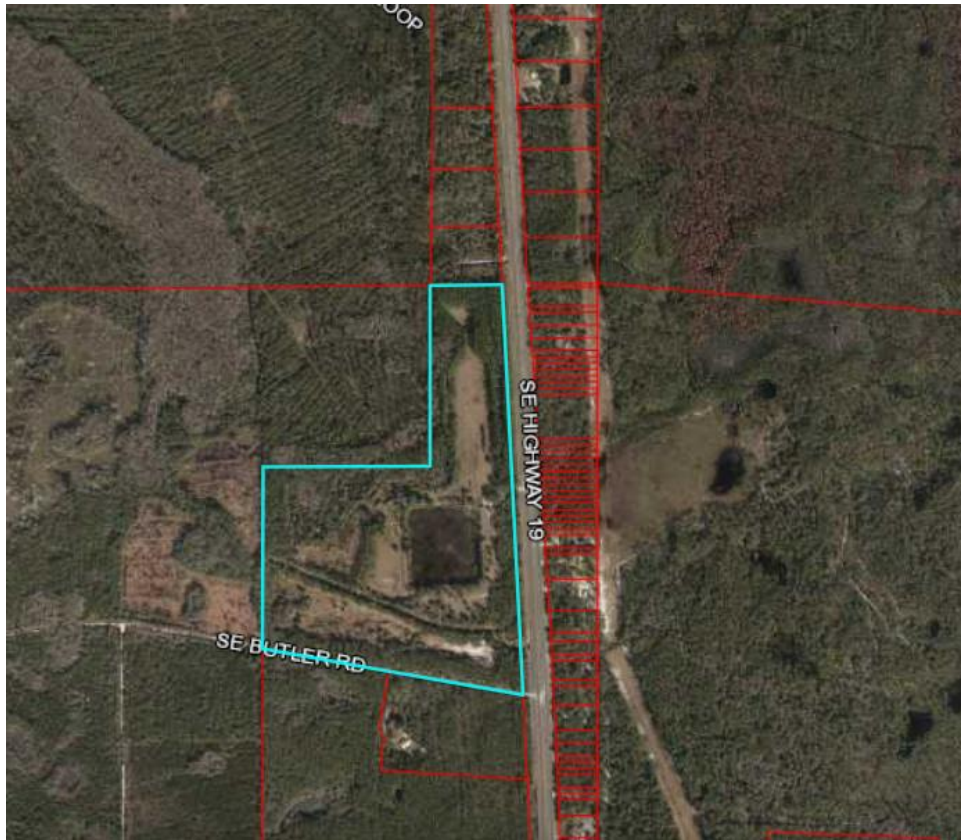
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**New Request for current application SEA 21-01**

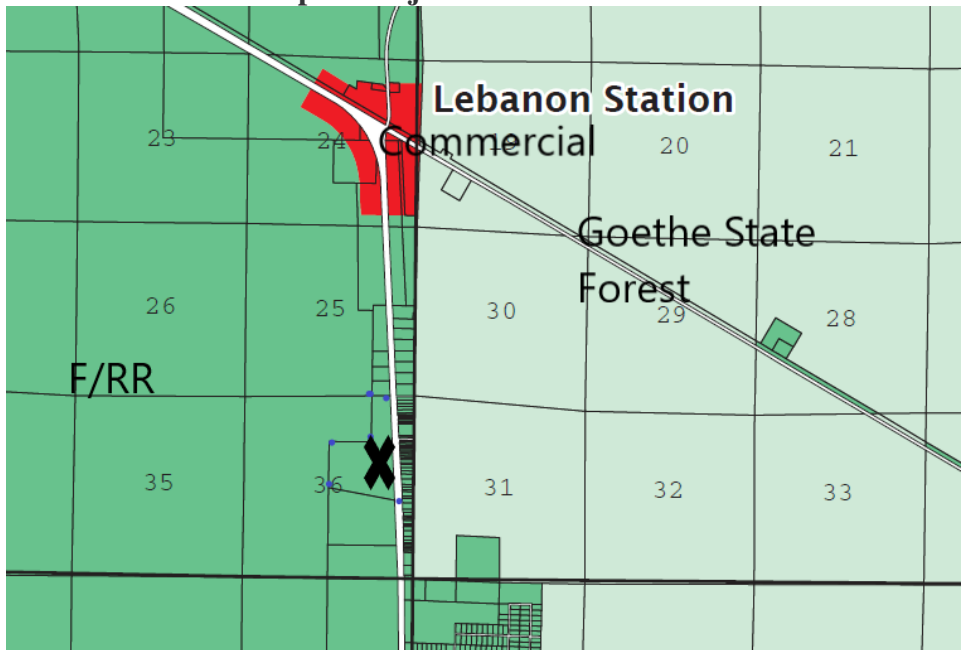
The applicant is requesting a reduction in EMT/Deputy hours, changing their hours of operation from 10:00 am to sunset to 8:00 am to 10:00 pm and requesting self-contained camping on-site. Please see the applicant cover letter and explanation in your packet.

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### Project Location Aerial



### Future Land Use Map of Project



Other Department Comments related to this Special Exception Amendment:

**Health Department; Wesley Asbell (see attached)**

**Levy County Emergency Management Department (Inglis Fire District); John McDonald (see attached).** Summary is that they are happy to do the weekends with notice but hours need to be consistent.

**Levy County Sheriff's Department; Lieutenant James Anderson.** Summary of discussion via emails is that the Levy County Sheriff's Office does not want to change any of the deputy hours approved via previous special exception approvals.

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Code Sections that apply to the request:

Section 50-1 Definitions;

*Outdoor commercial recreation* means any commercial enterprise that provides outdoor recreational services, facilities, entertainment, exhibitions, competitions, sporting events or other attractions offered to the public for a fee, entry fee, or admission charge. This includes, but shall not be limited to, racetracks of any kind, off-road vehicular trail facilities, mud bogging and motocross/dirt bike facilities, golf driving ranges, special event camping, sports arenas/stadiums and other similar uses that have the potential to generate high volumes of traffic and/or create noise, dust, odor or lighting that is detectable beyond the property line. This does not include uses identified in commercial zoning districts.

**Sec. 50-796. - Generally.**

Special exceptions, as enumerated in Schedule 1. Use Regulations, of [Section 50-676](#) hereof, or as contained in the Levy County Comprehensive Plan shall be permitted only upon authorization by the board of county commissioners subsequent to review by the planning commission. In granting any special exception, the board of county commissioners may require appropriate conditions and safeguards, made a part of the terms on which the special exception is granted, which if not complied with shall be deemed a violation of this article. The board of county commissioners may grant an application for special exception, provided that such application for special exception and the uses proposed therein shall be found by the board of county commissioners to comply with the following requirements or criteria and any other applicable requirements, criteria or standards set forth in this article.

**APPLICANT'S RESPONSES in BOLD pulled from their answer sheet in the packet:**

(1) That the use is a special exception as set forth in Schedule 1. Use Regulations, of [section 50-676](#) hereof or as set forth in the Levy County Comprehensive Plan.

- **Yes, Forestry/Rural Residential has a special exception use of outdoor commercial recreation.**

(2) That the use is so designated, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.

- **Yes, the use is designated, located and proposed to be operated that the public health, safety, and welfare**

(3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

- **The use will not cause substantial injury to the property value in the neighborhood where it is located.**

(4) That the property that is the subject of the special exception is suitable for the type of use proposed by virtue of its location, shape, topography, and by virtue of its compatibility with adjacent development, with uses allowed in adjacent land use and zoning districts, and with the character of the zoning district where it is located.

- **Yes, the property is suitable for the type of use being proposed.**

(5) That adequate buffering, landscaping and screening are provided as required in this article, or as necessary to provide a visual and sound barrier between adjacent property and the property that is the subject of the special exception.

- **Yes, there are trees along the property line and the property is located in a rural area with no immediate residences nearby.**

(6) That adequate off-street parking and loading are provided and ingress and egress are so designed as to cause minimum interference with or congestions of vehicular or pedestrian traffic on abutting streets or of boat or vessel traffic on adjacent waterways.

- **Yes, there will be adequate parking on the property to sustain the proposed use. As for traffic, we also have the ability to expand our single line entrance in order to ensure the roadway is not blocked and no congestion of traffic.**

(7) That the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.

- **Yes, the use conforms with all applicable regulations governing the district.**

(8) That the use is consistent with the provisions of the Levy County Comprehensive Plan and the Land Development Code, and that the application and use comply with the applicable provisions of subdivision II of this [division 5](#) and with any specific requirements for the use contained in subdivision II of division 3 hereof.

- **Yes, we believe that the use is consistent with the provisions of the Levy County Comprehensive Plan and the Land Development Code.**

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**Staff Recommendation: West Florida Off-Road SEA 21-01 Conditions of Approval:  
Approved 5-0**

Should the Planning Commission and subsequently the Board of County Commissioners, find the submitted application for this amendment to the original SE 5-03 and subsequent SEA 1-04 and SEA 1-06 sufficient and consistent with the Comprehensive Land Use Plan and the Land Development Code, staff recommends the following conditions be applied to such approval:

1. The granting of this Special Exception Amendment does not relieve the applicants, owners or their assigns from the prior conditions applied in SE 5-03, as previously amended by SEA 1-04, SEA 1-06 which allowed outdoor commercial recreation with conditions.
2. No new uses other than items proposed in this request for the Special Exception Amendment without first obtaining approval from the Board of County Commissioners.
3. All proper permits from the Department of Health and Department of Environmental Protection will need to be met, if applicable, if camping is approved.
4. Other conditions as assigned by the Planning Commission based on public participation.
5. Hours of Operation – No mud bogging after 8pm, gates close at 10:00 pm.
6. Sheriff/EMT hours to be arranged by each department with the applicant and if camping is approved Sheriff will need to be in attendance 24 hrs. unless otherwise determined by the Sheriff's Office, in its sole discretion.
7. Ensure compliance with the County Noise Ordinance Chapter 50 Land Development Code, Article VIII, Division 2. – Noise.
8. Containment fencing – 90 days to fill in the gaps and one year to complete entire property fencing.