



# Levy County Planning Commission

Thomas J. Harper, Chair  
Parks Wilson, Co-Chair  
Thadus Barber Jr.

J.D. Holmes III

## AGENDA

Regular Meeting  
July 10, 2023  
5:45 PM

### CALL TO ORDER

Invocation  
Pledge to the Flag  
Roll Call/Swearing In

### APPROVAL OF MINUTES

**Swearing In and Ex-Parte Communication – Nicolle Shalley, County Attorney**

### NEW BUSINESS

1. ORDINANCE NUMBER 2023-8: An Ordinance of Levy County, Florida, amending the Land Development Code relating to Flood Damage prevention – cumulative substantial improvements; by amending section 50-131 to adopt local technical amendments to the Florida Building Code; by amending section 50-228 definitions; and by amending section 50-246 duties and powers of the floodplain administrator; providing a severability clause; providing a repealing clause; providing for inclusion in the code; providing direction to the County Coordinator; and providing directions to the clerk and an effective date.

*Recommend Approval*  *Recommend Denial*

2. PETITION NO. FP 23-03: McMillen Surveying, representing Kristine Kelley of Kristine’s Acres, petitioning the Commission for a Final Plat to correct the incorrect division of land, Parcel number 0446500300 and 0446500500. Said parcels are located in Section 20, Township 13S, Range 18E in Levy County, Florida and have a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). Each parcel contains 5 acres MOL, Final Platt will complete the process to produce a legal 10 acre parcel MOL.

*Recommend Approval*  *Recommend Denial*

3. PETITION NO SE 23-01: Ryan Thomas for 3RT Sand Mine. Requesting a Special Exception for a major mining operation pursuant to Sec. 50-719; Mining and excavation of minerals, or natural resources, and site reclamation of the Levy County Land Development Code to allow a sand mine (no blasting) on approximately 1,100 acres (includes mine property and access to CR 337) of land located in Section 35, Township 12 S, Range 17 E, Levy County Florida. These parcels are located in Agriculture/Rural Residential (A/RR) Land Use and Zoning district. Parcel Number(s) 0359701600, 0359700400, 0359700000, 0359700300, 0360400600, 0360400000, 036040040B36040040A, 0360400400, 0360400500, 0360600500, 0360600300, 0360600000, 0359400000, and 0359200000.

*Recommend Approval*  *Recommend Denial*

**PUBLIC COMMENT**

**UPDATES**

**ADJOURN**

Should any agency or person decide to appeal any decision made by the Board with respect to any matter considered at this meeting, such agency or person will need a record of the proceedings, and for such purpose, 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.

In accordance with the Americans with Disabilities Act, person needing a special accommodation or an interpreter to participate in the proceeding should contact the County Clerk's Office at (352) 486-5266, or the Office of the Board of County Commissioners at (352) 486-5217, at least two (2) days prior to the date of the meeting. Hearing-impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD).



# Levy County Planning Commission Agenda Item Summary Form

1. **Name, Title:** Stacey Hectus, Planning & Zoning Director
2. **Organization:** Planning
3. **Telephone:** 352-486-5203
4. **Meeting Date:** July 10, 2023
5. **Requested Action:**

ORDINANCE NUMBER 2023-8: An Ordinance of Levy County, Florida, amending the Land Development Code relating to Flood Damage prevention – cumulative substantial improvements; by amending section 50-131 to adopt local technical amendments to the Florida Building Code; by amending section 50-228 definitions; and by amending section 50-246 duties and powers of the floodplain administrator; providing a severability clause; providing a repealing clause; providing for inclusion in the code; providing direction to the County Coordinator; and providing directions to the clerk and an effective date.

6. **Parcel Number: N/A**

*Recommend Approval*       *Recommend Denial*

1  
2  
3  
4  
5                                   **ORDINANCE**  
6                                   **NUMBER 2023-8**  
7

8                   **AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE LAND**  
9                   **DEVELOPMENT CODE RELATING TO FLOOD DAMAGE PREVENTION**  
10                  **– CUMULATIVE SUBSTANTIAL IMPROVEMENTS; BY AMENDING**  
11                  **SECTION 50-131 TO ADOPT LOCAL TECHNICAL AMENDMENTS TO**  
12                  **THE FLORIDA BUILDING CODE; BY AMENDING SECTION 50-228**  
13                  **DEFINITIONS; AND BY AMENDING SECTION 50-246 DUTIES AND**  
14                  **POWERS OF THE FLOODPLAIN ADMINISTRATOR; PROVIDING A**  
15                  **SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE;**  
16                  **PROVIDING FOR INCLUSION IN THE CODE; PROVIDING DIRECTIONS**  
17                  **TO THE COUNTY COORDINATOR; AND PROVIDING DIRECTIONS TO**  
18                  **THE CLERK AND AN EFFECTIVE DATE.**  
19

20  
21                  **WHEREAS**, pursuant to the authority granted under Article VIII, Section 1 of the  
22 Florida Constitution, and Sections 125.01 and 125.66, Fla. Stat., Levy County, through  
23 its Board of County Commissioners (the “Board”), has adopted floodplain management  
24 regulations designed to provide flood damage prevention and protection, and to protect  
25 and promote the public health, safety and welfare; and  
26

27                  **WHEREAS**, as part of its floodplain management program, Levy County  
28 participates in the National Flood Insurance Program (the “NFIP”) and in the NFIP’s  
29 Community Rating System (“CRS”), a voluntary incentive program that recognizes and  
30 encourages community floodplain management activities that exceed the minimum  
31 program requirements; and  
32

33                  **WHEREAS**, the CRS “Class” that a community maintains allows its property  
34 owners to be eligible for NFIP flood insurance premium discounts, with CRS Class 1  
35 communities being eligible for a 45% insurance premium reduction and CRS Class 10  
36 communities being eligible for a 0% insurance premium reduction;  
37

38                  **WHEREAS**, Levy County currently maintains a CRS Class 9, allowing property  
39 owners to be eligible for a 5% NFIP flood insurance premium discount;  
40

41                  **WHEREAS**, Levy County has determined that it is in the public interest to further  
42 improve its floodplain management regulations (exceeding the minimums) by addressing

Note: Additions shown underlined, deletions shown ~~stricken~~.  
Note to Codifier: Please retain the double underline to reflect the local amendments to the  
Florida Building Code.

1 “cumulative” substantial improvements – which means requiring the accumulation of  
2 costs of improvements and repairs of buildings, based on issued building permits, over a  
3 5-year period, as this will, over time, bring more nonconforming buildings into compliance  
4 and will reduce the likelihood that property owners will deliberately phase improvements  
5 sequentially for the specific purpose of avoiding the basic 50% substantial improvement  
6 rule;

7  
8 **WHEREAS**, as required by Part II of Chapter 163, Florida Statutes and Section  
9 50-55 of the Land Development Code, this proposed ordinance has been reviewed by the  
10 County Planning Commission for consistency with the Comprehensive Plan and the  
11 Planning Commission recommendation has been forwarded to the Board; and  
12

13 **WHEREAS**, at least ten (10) days’ notice has been given once by publication in a  
14 newspaper of general circulation notifying the public of this proposed ordinance and of a  
15 public hearing in the Levy County Government Center in Bronson, Florida; and  
16

17 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners  
18 of Levy County, Florida, that:  
19

20 **SECTION 1.** Section 50-131 of the Levy County Code is amended as follows:  
21

22 **Article IV. Building and Other Technical Codes and Standards**

23 **Sec. 50-131. - Adoption and administrative and technical amendments.**

24 (a) The provisions of the NFPA 70 National Electric Code (2008), as adopted by the  
25 National Fire Prevention Association, and as the same may be amended or updated from  
26 time to time, are hereby adopted by reference as if set out at length herein. It shall be  
27 unlawful to violate any sections of such NFPA National Electric Code.  
28

29 (b) The provisions of the NFPA 101 Life Safety Code (2011), as adopted by the National  
30 Fire Prevention Association, and as the same may be amended or updated from time to  
31 time, are hereby adopted by reference as if set out at length herein. It shall be unlawful  
32 to violate any sections of such NFPA Life Safety Code.  
33

34 (c) Pursuant to F.S. ch. 553, the provisions of the Florida Building Code, as adopted by  
35 the Florida Building Commission, and as may be amended from time to time by such  
36 Florida Building Commission, are adopted herein by reference as if set out at length  
37 herein, and shall apply to the construction, erection, alteration, modification, repair, use  
38 and occupancy, location, maintenance, removal and demolition of every public and  
39 private building, structure or facility or floating residential structure, or any appurtenances  
40 connected or attached to such buildings, structures or facilities in Levy County other than  
41 those specifically exempted by F.S. § 553.73, or by the Florida Building Code. Such

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Note to Codifier: Please retain the double underline to reflect the local amendments to the Florida Building Code.

1 Florida Building Code shall be enforced in the county as provided in F.S. § 553.80, as the  
2 same may be amended.

3  
4 (d) The following are local technical amendments to the Florida Building Code relating  
5 to flood resistance adopted pursuant to Section 553.73(5), Florida Statutes, in order to  
6 implement the National Flood Insurance Program or incentives.

7  
8 (1) Section 202 “Definitions” of the Florida Building Code, Building, is amended  
9 as follows:

10  
11 **SUBSTANTIAL IMPROVEMENT.** Any combination of repair, reconstruction,  
12 rehabilitation, alteration, addition or other improvement of a building or structure  
13 taking place during a 5-year period, the cumulative cost of which equals or  
14 exceeds 50 percent of the market value of the structure before the improvement  
15 or repair is started. The period of accumulation begins when the first  
16 improvement or repair of each building or structure is permitted on or after  
17 August 1, 2023. If the structure has sustained substantial damage, any repairs  
18 are considered substantial improvement regardless of the actual repair work  
19 performed. The term does not, however, include either:

- 20  
21 1. Any project for improvement of a building required to correct existing  
22 health, sanitary or safety code violations identified by the building official  
23 and that is the minimum necessary to assure safe living conditions.  
24 2. Any alteration of a historic structure provided that the alteration will not  
25 preclude the structure’s continued designation as a historic structure.

26  
27 (2) Section 202 “Definitions” of the Florida Building Code, Existing Building, is  
28 amended as follows:

29  
30 **SUBSTANTIAL IMPROVEMENT.** For the purpose of determining compliance  
31 with the flood provisions of this code, any combination of repair, alteration,  
32 addition, or improvement of a building or structure taking place during a 5-year  
33 period, the cumulative cost of which equals or exceeds 50 percent of the market  
34 value of the structure before the improvement or repair is started. The period of  
35 accumulation begins when the first improvement or repair of each building or  
36 structure is permitted on or after August 1, 2023. If the structure has sustained  
37 substantial damage, any repairs are considered substantial improvement  
38 regardless of the actual repair work performed. The term does not, however,  
39 include either:

- 40  
41 1. Any project for improvement of a building required to correct existing  
42 health, sanitary or safety code violations identified by the code official and

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- 1                    that is the minimum necessary to ensure safe living conditions; or  
2                    2. Any alteration of a historic structure provided that the alteration will not  
3                    preclude the structure’s continued designation as a historic structure.  
4

5                    **SECTION 2.** A portion of Section 50-228 of the Levy County Code is amended as  
6 set forth below. Except as amended herein, the remainder of Section 50-228 remains in  
7 full force and effect.  
8

9                    **Article VI. Flood Damage Prevention**

10                    **Sec. 50-228. - Definitions.**

11                    *Substantial improvement* means any combination of repair, reconstruction,  
12 rehabilitation, alteration, addition or other improvement of a building or structure  
13 taking place during a 5-year period, the cumulative cost of which equals or  
14 exceeds 50 percent of the market value of the building or structure before the  
15 ~~start of construction of the improvement or repair~~ improvement or repair is  
16 started. The period of accumulation begins when the first improvement or repair  
17 of each building or structure is permitted on or after August 1, 2023. ~~This term~~  
18 ~~includes structures that have incurred substantial damage, regardless of the~~  
19 ~~actual repair work performed.~~ If the structure has sustained substantial damage,  
20 any repairs are considered substantial improvement regardless of the actual  
21 repair work performed. The term does not, however, include either:  
22

- 23                    (1) Any project for improvement of a building or structure to correct existing  
24 health, sanitary or safety code violations identified by the building official  
25 and that ~~are~~ is the minimum necessary to assure safe living conditions; or  
26                    (2) Any alteration of a historic structure, provided that the alteration will not  
27 preclude the structure’s continued designation as a historic structure.  
28  
29

30                    **SECTION 3.** A portion of Section 50-246 of the Levy County Code is amended  
31 as set forth below. Except as amended herein, the remainder of Section 50-246 remains  
32 in full force and effect.  
33

34                    **Article VI. Flood Damage Prevention**

35                    **Sec. 50-246. - Duties and powers of the floodplain administrator.**

36                    (d) *Substantial improvement and substantial damage determinations.* For  
37 applications for building permits to improve buildings and structures, including but not  
38 limited to alterations, movement, enlargement, replacement, repair, change of  
39 occupancy, additions, rehabilitations, renovations, ~~substantial improvements, repairs of~~

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1 ~~substantial damage~~, and any other improvement of or work on such buildings and  
2 structures, the floodplain administrator, in coordination with the building official, shall:

- 3
- 4 (1) Estimate the market value, or require the applicant to obtain an appraisal of  
5 the market value prepared by a qualified independent appraiser, of the  
6 building or structure before the start of construction of the proposed work;  
7 in the case of repair, the market value of the building or structure shall be  
8 the market value before the damage occurred and before any repairs are  
9 made;
- 10 (2) Require the applicant to provide the cost to perform the improvement, the  
11 cost to repair a damaged building to its pre-damaged condition, or the  
12 combined costs of improvements and repairs, if applicable, and compare  
13 such costs to the market value of the building or structure;
- 14 (3) Determine and document whether the proposed work constitutes  
15 substantial improvement or repair of substantial damage; this determination  
16 requires evaluation of previous permits issued for improvements and  
17 repairs as specified in the definition of *substantial improvement*; and
- 18 (4) Notify the applicant if it is determined that the work constitutes substantial  
19 improvement or repair of substantial damage and that compliance with the  
20 flood resistant construction requirements of the Florida Building Code and  
21 this article is required.  
22

23  
24 **SECTION 4. Severability.** If any section, subsection, sentence, clause, phrase,  
25 portion or provision of this ordinance is for any reason declared or held invalid or  
26 unconstitutional by any court of competent jurisdiction, such section, subsection,  
27 sentence, clause, phrase, portion or provision shall be deemed a separate, distinct and  
28 independent provision, and the remainder of this ordinance shall be not affected by such  
29 declaration or holding.  
30

31 **SECTION 5. Repeal.** All ordinances or parts of ordinances and all resolutions or  
32 parts of resolutions of Levy County that are in conflict with this ordinance are, to the extent  
33 of the conflict, hereby repealed.  
34

35 **SECTION 6. Inclusion in the Code.** The provisions of Sections 1 through 3 of  
36 this ordinance shall become and be made a part of the Levy County Code, and the  
37 sections of this ordinance may be renumbered or relettered and the word "ordinance" may  
38 be changed to "section," "article," "regulation," or such other appropriate word or phrase  
39 in order to accomplish the codification.  
40

41 **SECTION 7. Directions to the County Coordinator.** The County Coordinator,  
42 or designee, is directed to transmit a copy of this ordinance to the Florida Building

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Florida Building Code.





1 Commission within 30 days after adoption as required by Section 553.73(5), Florida  
2 Statutes.

3  
4 **SECTION 8. Effective Date.** In accordance with Section 125.66, Florida Statutes,  
5 the Clerk to the Board of County Commissioners is directed to file this ordinance with the  
6 Florida Department of State within 10 days after adoption and upon such filing, this  
7 ordinance shall become effective.

8  
9 **ADOPTED** this 25th day of July, 2023.

10 **BOARD OF COUNTY COMMISSIONERS**  
11 **OF LEVY COUNTY, FLORIDA**

12  
13  
14 \_\_\_\_\_  
15 Matt Brooks, Chairman

16 **ATTEST:** Danny J. Shipp, Clerk of  
17 the Circuit Court and Ex-Officio Clerk  
18 to the Board of County Commissioners

19  
20 \_\_\_\_\_  
21 Danny J. Shipp

Approved as to form and legal sufficiency

22  
23 \_\_\_\_\_  
24 Nicolle M. Shalley, County Attorney

25  
26  
27  
28

Note: Additions shown underlined, deletions shown ~~stricken~~.  
Note to Codifier: Please retain the double underline to reflect the local amendments to the Florida Building Code.

## NOTICE OF PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that the following ordinance will be considered for recommendation by the Levy County Planning Commission, at a public hearing on **Monday, July 10, 2023 at 5:45p.m.**, or as soon thereafter as the same may be heard. The ordinance will then be considered for Enactment by the Board of Levy County Commissioners, at a public hearing on **Tuesday, July 25, 2023 at 9:00a.m.**, or as soon thereafter as the same may be heard. Both hearings will be held in the Auditorium of the Levy County Government Center, 310 School Street, Bronson, Florida 32621.

### **ORDINANCE NUMBER 2023-8**

**AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE RELATING TO FLOOD DAMAGE PREVENTION – CUMULATIVE SUBSTANTIAL IMPROVEMENTS; BY AMENDING SECTION 50-131 TO ADOPT LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; BY AMENDING SECTION 50-228 DEFINITIONS; AND BY AMENDING SECTION 50-246 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING DIRECTIONS TO THE COUNTY COORDINATOR; AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.**

A copy of the 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. All interested persons may appear and be heard at the public hearings. The meeting may be continued to one or more future dates. Any interested party shall be advised that the date, time and place of any continuation of this meeting shall be announced during the public hearing and no further notice regarding these matters will be published, unless said continuation exceeds six calendar weeks from the above referenced meeting. All persons are advised that, if they decide to appeal any decision made at a public hearing, they will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings 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 a public meeting should contact the Board of County Commission Administration Office at 352-486-5218.

Pub: June 14, 2023

**Final Plat Application  
Levy County, Florida**

Filing Date: \_\_\_\_\_  
Amount of Fee: \$400

Petition Number: FP \_\_\_\_\_  
Validation Number: \_\_\_\_\_

**TO THE LEVY COUNTY PLANNING COMMISSION:**

Application is hereby made to the County Planning Commission of Levy County, pursuant to the provisions of Chapter 163, Florida Statutes, as amended, and the Levy County Land Development Code, Chapter 50-534, petitioning for a Final Plat on the following described:

<b>I. Applicant and Request Information - Please print unless otherwise specified.</b>	
Owner's Name: <u>Kristine Kelley</u>	Surveyor Name: McMillen Surveying, Inc - _____
Address: <u>149 N Golf Harbor Path</u>	Stephen M. McMillen, PSM _____
City: <u>Inverness, FL</u> Zip Code: <u>34450</u>	Address: 444 NW Main Street _____
Phone: _____	Williston, FL 32696 _____
email: <u>thatfaithgirl@yahoo.com</u>	Phone: (352) 528-6277 _____
	Email: quotes@mcsurveying.com _____

<b>II. Parcel Information</b>		
1. Subdivision Name: <u>Kristine's Acres</u>	_____	
2. Date Preliminary Plat Approved: _____	_____	
3. Parcel Number (s)	Section/Township/Range	Acreage
A. <u>04465-003-00</u>	<u>20-13-18</u>	<u>5.026</u>
B. <u>04465-005-00</u>	_____	<u>5.085</u>
C. _____	_____	_____
Total Acreage:		<u>10.111</u>

3. Locational Description (Please attach copy of legal description or existing plat if property in question is a re-subdivision): see attached
4. Proposed Use of Property: Residential

**Final Plat Application  
Levy County, Florida**

5. Present Zoning /Land Use: A/R
6. Was a Zoning Change Requested? Yes  No   
[if yes, the plat may not be approved until it conforms with the local zoning. Include a certification of zoning compliance if a change was requested]
7. Have all required improvements been installed? Yes  No   
[If no, include detailed estimates of cost and a statement relative to the method of improvement guarantee. All estimates must be approved by the County Commission.]
8. Do you proposed deed restrictions? Yes  No   
[If yes, please attach copy]

**III. To Be Supplied At The Time Of Submission:**

Attach the items in the order below. The application will not be processed without these items. Any information or changes must be submitted, in writing to the Levy County Planning and Zoning Department, one week prior to the scheduled Levy County Planning Commission Public Meeting.

1. Final Plat Application 2. Property Deed. The most recent one pertaining to the property being requested to be subdivided, obtained from the Clerk of Circuit Court's Office or property statement from the Tax Collector's Office 3. Location map identifying subject parcel with either a color or pattern 4. Surface water permit or exemption 5. Signed and sealed boundary survey's. (office, road and bridge and engineering) 6. Current title opinion.

**NOTE:** See checklist for appropriate number of copies for submittal

**Final Plat Application  
Levy County, Florida**

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**IV. APPLICATION INSTRUCTIONS:**

- ( a ) An application for a Final Plat must be accompanied by a fee of \$400.00 **plus all fees and costs for services of County Engineer, outside legal counsel or other professional consultants in connection with the application.** Please note, application fee may be subject to change.
- ( b ) If the applicant is not the owner of record of the property, the owner must agree to this application either by signing the application form, or by submitting a notarized letter authorizing the applicant to act as an agent. Owner's authorization is required at the time this application is submitted.
- ( c ) All required documentation and submission material is required to accompany the application at the time the request is submitted. Applications are screened for completeness. Depending on the proposed use, additional information may be required. **Failure to provide all information and submission material required shall delay the public review of the application until such time as all materials are received.**
- ( d ) The Final Plat applications are processed once a month. Applications received by the first (1<sup>st</sup>) day of the month preceding a regular monthly meeting of the planning commission will **tentatively** be scheduled, advertised and presented at a public hearing the following month. Applications received after the first (1<sup>st</sup>) of the month will not be scheduled for the following month.
- ( e ) Applications may be submitted as follows:
  - In Person: Levy County Planning and Zoning Department located at 320 Mongo Street, Bronson, Florida 32621
  - By Mail: Levy County Planning and Zoning, 320 Mongo Street, Bronson, FL 32621
- ( f ) This office will prepare the poster(s) and place them on the property involved in this request.
- ( g ) Abutting property owners will be notified by mail of the request. "Abutting property" is any property immediately adjacent or contiguous to the property which is the subject of this request or located within 300' (three hundred feet) of the subject property lines including, immediately across any road or public right-of-way for said property.

Final Plat Application  
Levy County, Florida

- (h) The applicant, or his duly authorized representative, shall attend the planning commission meeting at which the preliminary plat is to receive. The planning commission may, in its discretion, either proceed with the public hearing and consideration of an application or table the application in the event the applicant or his duly authorized representative does not appear at the planning commission meeting. [Levy County Land Development Code, Chapter 50, Section 537]

**Additional Assistance:** If you require further information, please contact the Levy County Planning and Zoning Department at (352)486-5203.

I, \_\_\_\_\_, have read and understand the instructions and submission requirements stated in this application. Approval granted by said Commission in no way constitutes a waiver from any applicable Local, State, or Federal regulation.

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner or authorized agent of the above described property.

**OFFICE USE ONLY:**

Planning Commission Public Hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_

Board of County Commissioners Hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_

Planning Commission Action:                      Approval                          Denial                     

Notes, Instructions and Comments:

\_\_\_\_\_

\_\_\_\_\_



# McMillen Surveying, Inc.

444 Northwest Main Street

Williston, Florida, 32696

Office: 352 528-6277

State of Florida  
County of Levy

I, Kristine Kelley, hereby give Stephen M. McMillen, P.S.M., President of McMillen Surveying, Inc, the authority to act as my Authorized Agent to facilitate the **Platting Process** upon "Kristine's Acres" on the following parcel lying in:

Section 20, Township 13 South, Range 18 East,  
County: Levy  
State: Florida  
Parcel ID# \_\_\_\_\_, City: Williston

04465-003-00

04465-005-00

Signature [Handwritten Signature]  
Printed KRISTINE KELLEY

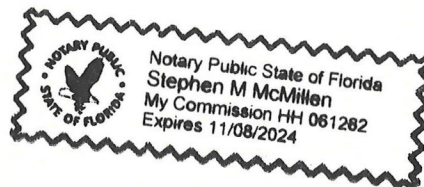
Date: 11.2.22

Signature \_\_\_\_\_  
Printed \_\_\_\_\_

Date: \_\_\_\_\_

Notary Public, State of Florida  
At Large

[Handwritten Signature]  
My Commission Expires: 11-08-24





**Summary**

Parcel ID 0446500300  
 Location Address  
 Neighborhood 05.00 (5)  
 Legal Description\* 20-13-18 0004.69 ACRES NORTH 296 FT OF WEST 740 FT OF SW1/4 OF NW1/4 -LESS WEST 50 FT C-316 RD R/W OR BOOK 1522 PAGE 147  
*\*The legal description shown here may be condensed, a full legal description should be obtained from a recorded deed for legal purposes.*  
 Property Use Code VACANT (0000)  
 Subdivision N/A  
 Sec/Twp/Rng 20-13-18  
 Tax District SW FLORIDA WT MG (District SW)  
 Millage Rate 15.7218  
 Acreage 4.690  
 Homestead N  
 Ag Classification No

[View Map](#)

**Owner**

Owner Name [Rooney Brendan J 100%](#)  
[Rooney Nicholette 100%](#)  
 Mailing Address 4615 SE 57TH LN  
 OCALA, FL 34480

**Valuation**

	2022 Preliminary Value Summary
Building Value	\$0
Extra Features Value	\$0
Market Land Value	\$55,717
Ag Land Value	\$55,717
Just (Market) Value	\$55,717
Assessed Value	\$40,860
Exempt Value	\$0
Taxable Value	\$40,860
Cap Differential	\$14,857
Previous Year Value	\$37,145

**Exemptions**

Homestead  2nd Homestead  Widow/er  Disability  Seniors  Veterans  Other

**Land Line**

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
VAC LAND	0	0	4.69	AC	\$55,717

**Sales**

Sale Date	Sale Price	Instrument		Qualification	Vacant/Improved	Grantor	Grantee
		Type	Book Page				
1/13/2020	\$50,000.00	WM	<a href="#">1522</a> <a href="#">147</a>	U	V	KATJE WENDY -ET AL-	ROONEY BRENDAN J
12/31/2019	\$0.00	FJ	<a href="#">1520</a> <a href="#">58</a>	U	V	WYNNE EILEEN KAY -ESTATE-	ESTATE OF CLARENCE NORMAN ENGLR JR
12/3/2019	\$0.00	FJ	<a href="#">1516</a> <a href="#">688</a>	U	V	ENGL CLARENCE NORMAN JR - ESTATE-	KATJE WENDY C
2/15/1994	\$0.00	QD	<a href="#">517</a> <a href="#">618</a>	Q	V	WYNNE WILLIAM L	WYNNE EILEEN KAY
7/18/1991	\$10,000.00	WD	<a href="#">436</a> <a href="#">180</a>	Q	V	STOEL FREDERICK RAY	WYNNE EILEEN KAY & WILLIAM L
12/29/1990	\$0.00	DC	<a href="#">417</a> <a href="#">286</a>	Q	V	STOEL EDITH E	STOEL CHARLES L
12/18/1990	\$0.00	WD	<a href="#">417</a> <a href="#">293</a>	Q	V	STOEL CHARLES L & SARAH ELIZABETH	STOEL FREDERICK RAY
10/20/1989	\$0.00	QD	<a href="#">372</a> <a href="#">171</a>	Q	V	STOEL EDITH E	STOEL CHARLES L
9/20/1989	\$0.00	WD	<a href="#">369</a> <a href="#">666</a>	Q	V	STOEL ANDREW & EDITH E	STOEL EDITH E
9/4/1974	\$0.00	WD	<a href="#">66</a> <a href="#">105</a>	Q	V	KENNEN WILLIAM R & DORIS V	STOEL ANDREW & EDITH E





**Summary**

Parcel ID 0446500500  
 Location Address  
 Neighborhood 05.00 (5)  
 Legal Description\* 20-13-18 0005.08 ACRES NORTH 376 FT OF SW1/4 OF NW1/4 LESS WEST 740 FT OR BOOK 1522 PAGE 147  
*\*The legal description shown here may be condensed, a full legal description should be obtained from a recorded deed for legal purposes.*  
 Property Use Code VACANT (0000)  
 Subdivision N/A  
 Sec/Twp/Rng 20-13-18  
 Tax District SW FLORIDA WT MG (District SW)  
 Millage Rate 15.7218  
 Acreage 5.080  
 Homestead N  
 Ag Classification No

[View Map](#)

**Owner**

Owner Name [Rooney Brendan J 100%](#)  
[Rooney Nicholette 100%](#)  
 Mailing Address 4615 SE 57TH LN  
 Ocala, FL 34480

**Valuation**

	2022 Preliminary Value Summary
Building Value	\$0
Extra Features Value	\$0
Market Land Value	\$56,578
Ag Land Value	\$56,578
Just (Market) Value	\$56,578
Assessed Value	\$41,491
Exempt Value	\$0
Taxable Value	\$41,491
Cap Differential	\$15,087
Previous Year Value	\$37,719

**Exemptions**

Homestead	2nd Homestead	Widow/er	Disability	Seniors	Veterans	Other
-----------	---------------	----------	------------	---------	----------	-------

**Land Line**

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
VAC LAND	0	0	5.08	AC	\$56,578

**Sales**

Sale Date	Sale Price	Instrument		Qualification	Vacant/Improved	Grantor	Grantee
		Type	Book Page				
1/13/2020	\$50,000.00	WM	<a href="#">1522</a> <a href="#">147</a>	U	V	KATJE WENDY C -ET AL-	ROONEY BRENDAN J
12/31/2019	\$0.00	FJ	<a href="#">1520</a> <a href="#">58</a>	U	V	WYNNE EILEEN KAY -ESTATE-	ESTATE OF CLARENCE NORMAN ENGLR JR
12/3/2019	\$0.00	FJ	<a href="#">1516</a> <a href="#">688</a>	U	V	ENGL CLARENCE NORMAN JR -ESTATE-	KATJE WENDY C
12/29/1990	\$0.00	DC	<a href="#">417</a> <a href="#">286</a>	Q	V	STOEL EDITH E	STOEL CHARLES L
12/18/1990	\$0.00	WD	<a href="#">417</a> <a href="#">299</a>	Q	V	STOEL CHARLES L & SARAH ELIZABETH	WYNN EILEEN KAY
10/20/1989	\$0.00	QD	<a href="#">372</a> <a href="#">171</a>	Q	V	STOEL EDITH E	STOEL CHARLES L
9/20/1989	\$0.00	WD	<a href="#">369</a> <a href="#">666</a>	Q	V	STOEL ANDREW & EDITH E	STOEL EDITH E
9/4/1974	\$0.00	WD	<a href="#">66</a> <a href="#">105</a>	Q	V	KENNEN WILLIAM R & DORIS V	STOEL ANDREW & EDITH E



Overview



Legend

- Parcels
- Parcel Lines**
- <all other values>
- Construction
- Easement
- Lot
- Miscellaneous
- Parcel
- Private Road
- Road Right of Way
- Subdivision
- Water
- Roads**
- City Labels**

<b>Parcel ID</b>	0446500300	<b>Physical Address</b>		<b>Building Value</b>	\$0	<b>Last 2 Sales</b>							
<b>Property Use</b>	0000 - VAC LAND	<b>Mailing Address</b>	ROONEY BRENDAN	<b>Extra Feature Value</b>	\$0	<b>Date</b>	1/13/2020	<b>Price</b>	\$50000	<b>Reason</b>	05	<b>Qual</b>	U
<b>Taxing District</b>	SW FLORIDA WT		J	<b>Market Land Value</b>	\$55,717		7/18/1991	\$10000	n/a			Q	
<b>Acres</b>	4.69		4615 SE 57TH LN	<b>Ag Land Value</b>	\$55,717								
			OCALA FL 34480	<b>Just Value</b>	\$55,717								
				<b>Assessed Value</b>	\$40,860								
				<b>Taxable Value</b>	\$40,860								

Date created: 6/2/2022  
 Last Data Uploaded: 6/1/2022 7:24:40 PM

Developed by Schneider  
 GEOSPATIAL

# Levy Abstract and Title Company

"Serving Levy County Since 1927"

## Title Insurance

H. C. HENDERSON, JR.  
(1939 - 2017)  
SKIPPER HENDERSON PRES.  
CERTIFIED LAND - TITLE SEARCHER

## Closings

ADAM C. HENDERSON V.P.  
BRANCH MANAGER



**March 28, 2023**

**CERTIFIED PARTY: LEVY COUNTY, BOARD OF COUNTY COMMISSIONERS  
PO BOX 310, BRONSON, FL 32621**

**RE: PROPERTY INFORMATION REPORT – Our File: T-29049**

**PROPOSED SUBDIVISION NAME:**

**“KRISTINE’S ACRES”**

**LEGAL SHOWN ON PROPOSED PLAT:**

**The North 296.00 feet of the West 740.0 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.**

**LESS and EXCEPT the right of way for C-316 over the West 50 feet thereof and subject to a 15 foot easement along the South side thereof.**

**AND**

**The North 376.00 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.**

**LESS the West 740.00 feet thereof and subject to a 30 foot easement over the West 30 feet of the South 95.00 feet thereof.**

**PERIOD OF SEARCH: 20 years last past, ending 03/26/2023**

---

Pursuant to F.S. 177.041(2) and F.S. 177.081(2), and Levy County Code of Ordinances Sec. 50-556(h), we have made a search of the Public Records of Levy County, Florida, in connection with the above, and certify as follows:

**RECORD FEE SIMPLE TITLE HOLDER**

**KRISTINE KELLEY**, by virtue of the following document:

**Warranty Deed from Brendan J. Rooney and Nicholette Rooney, husband and wife, dated 09/12/2022, filed 12/06/2022 and recorded in O.R. Book 1667, Page 705 (#711219), Public Records of Levy County, Florida.**



**Main Office**  
50 Picnic St. • P.O. Box 148, Bronson, FL 32621  
352-486-2116 • Fax 352-486-4200 • E-mail: levyab1@aol.com  
[www.levyabstract.com](http://www.levyabstract.com)



**MORTGAGES – (not satisfied or released of record)**

**NONE**

**EASEMENTS OF RECORD**

1. **Grant of Easement** to Sabal Trail Transmission, LLC, as attached to Stipulated Final Judgment of Condemnation dated 04/08/2019, filed 05/24/2019 and recorded in O.R. Book 1494, Page 936 (#652639), Public Records of Levy County, Florida.

**REAL ESTATE TAX INFORMATION:**

**2022 Taxes**

Assessed to:                      Brendan J. & Nicholette Rooney  
Tax ID#:                              0446500300 & 0446500500

**DELINQUENT TAXES YES \_\_\_ NO X**

(If “Yes”, state the year and tax certificate number(s))

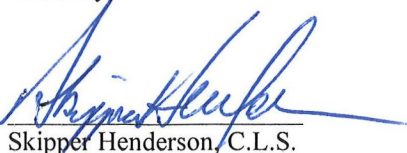
**NOTE:** This report does not in any way purport to show ownership of any underlying oil, gas and/or mineral rights.

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

This report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. Its effective date shall be the date above specified through which the public records were searched.

Should you have any questions concerning this certification, or any other matter, we will be happy to assist you.

Sincerely,



\_\_\_\_\_  
Skipper Henderson, C.L.S.

Vice President

**SH/dkr  
enclosures**

NSTR # 652639, OR BK: 1494 PG: 936, Recorded 5/24/2019 1:43 PM

Rec: \$78.00 Danny J. Shipp, Clerk of the Circuit Court Levy FL Deputy Clerk UWILLIAMS

MARIKIS HARRIS BAUERLE ZIEGLER LOPEZ  
1201 EAST ROBINSON ST  
ORLANDO, FL 32801

✓R

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION**

**SABAL TRAIL TRANSMISSION,  
LLC,**

**Plaintiff,**

**vs.**

**+/- 0.981 ACRES OF LAND IN LEVY  
COUNTY FLORIDA, UNKNOWN  
HEIRS, DEVISEES AND  
SUCCESSORS OF EILEEN KAY  
WYNNE, DECEASED AND  
UNKNOWN OWNERS, IF ANY**

**Case No.: 1:16-cv-00097-MW-  
GRJ Tract No(s): FL-LE-075.400**

**Defendants.**

Unofficial Copy

**STIPULATED FINAL JUDGMENT OF CONDEMNATION**

THIS CAUSE is before the Court, without hearing, on the parties' Joint Motion for Stipulated Final Judgment of Condemnation (Doc. 125). Pursuant to the Natural Gas Act, 15 U.S.C. §§ 717-717z, Sabal Trail Transmission, LLC ("Sabal Trail") filed the above-styled action to condemn easement interests (the "Easements"). (Doc. 1)

The Court previously entered a preliminary injunction granting Sabal Trail the ability to access and construct within the Easements (Doc. 33). In Natural Gas Act cases, such as this one, title does not pass until compensation is ascertained

(whether by agreement or verdict) and paid. *See Steckman Ridge, GP, LLC v. 11.078 Acres, 2008 WL 4346405, \*10* (W.D. Penn. Sept. 19, 2008) (citing *Danforth v. United States, 308 U.S. 271, 284-85* (1939)). Having agreed upon compensation due in exchange for the Easements, the parties, through joint motion, request that the Court enter this Stipulated Final Judgment of Condemnation granting title to the Easements.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The parties' Joint Motion for Entry of Stipulated Final Judgment of Condemnation (Doc. 125) is **GRANTED**.
2. Payment to Defendant shall be made within ten (10) business days after the date of this Order to The Brigham Property Rights Law Firm, PLLC Trust Account in the amount agreed to by the parties.
3. Upon payment of the agreed amount to The Brigham Property Rights Law Firm, PLLC Trust Account, title to the Easements pursuant to the Grant of Easement attached hereto as Exhibit A shall vest in and transfer to Sabal Trail.
4. Within two (2) business days after receipt of such payment into The Brigham Property Rights Law Firm, PLLC Trust Account, Defendant shall evidence payment by filing a Notice of Receipt of Payment with the Court.

- 5. All claims and defenses for attorney's fees and costs (including expert costs) are preserved.
- 6. The Court reserves jurisdiction to determine entitlement to and amount of attorney's fees and costs (including expert costs), as well as to enforce the terms of the parties' settlement agreement and this judgment.

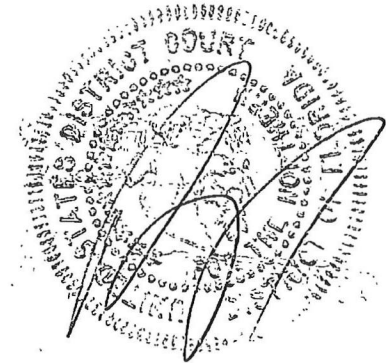
**SO ORDERED on April 8, 2019.**

Unofficial Copy

**s/ MARK E. WALKER**  
**Chief United States District Judge**

Copies furnished to:

Counsel of Record



**EXHIBIT A****GRANT OF EASEMENT**

STATE OF FLORIDA  
COUNTY OF LEVY

TRACT NO. FL-LE-075.400

KNOWN ALL BY THESE PRESENTS: that **ROBERT B. ANGLE, JR., ATTORNEY as Successor Executor of the ESTATE OF EILEEN KAY WYNNE**, whose address for purpose of this grant is c/o Charles L. Stoel, P.O. Box 177, Williston, Florida 32696 (hereinafter called "Grantor", whether one or more), for and in consideration of valuable consideration paid by **SABAL TRAIL TRANSMISSION, LLC, a Delaware limited liability company**, whose address is 5400 Westheimer Court, Houston, Texas 77056 (hereinafter called "Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby give, grant, bargain, sell and convey unto Grantee, its successors and assigns, a permanent easement ("Permanent Easement") solely for the purpose of constructing, laying, maintaining, operating, inspecting, repairing, replacing, removing, reconstructing and abandoning not more than one (1) underground pipeline and any and all necessary or useful below ground appurtenances thereto, including but not limited to fittings, pipeline data acquisition and telecommunication equipment, electric service for same, together with above ground pipeline markers, cathodic protection devices and AC mitigation devices ("Pipeline Facilities"), all of which shall be and remain the property of Grantee, solely and exclusively for the transportation of natural gas through the pipeline to be located on a portion of the following described land:

Being the land described in that certain Warranty Deed executed by Charles L. Stoel, joined by his wife, Sarah Elizabeth Stoel, in favor of Eileen Kay Wynne, dated December 18, 1990, and recorded December 31, 1990, in Official Records Book 417, Page 299, Public Records of Levy County, Florida ("Grantor's Land").

The Permanent Easement herein granted shall be a total width of fifty feet (50') as described on Exhibit A attached hereto and made a part hereof and generally shown on the Exhibit A drawing. The installation and construction methods used to install the pipeline shall be consistent with Grantee's federal and state approvals.



The Pipeline Facilities shall only be used for the purpose of transporting natural gas. The Pipeline Facilities shall be designed, constructed and operated in accordance with U.S. Department of Transportation requirements for interstate natural gas pipelines. Except for pipeline markers, AC mitigation devices and cathodic protection devices, Grantee shall cause no other above ground appurtenances or improvements to be constructed on the Permanent Easement in connection with the Pipeline Facilities without the prior express written consent of Grantor, which shall not be unreasonably withheld.

To facilitate the construction of the Pipeline Facilities, Grantee has used the temporary workspaces shown on the attached Exhibit A drawing and identified as "Temporary Workspace" and "Additional Temporary Workspace" (collectively, the "Temporary Workspace"). As of the date hereof, Grantee's right of possession and use of the Temporary Workspace for construction purposes is terminated. However, Grantee will still be permitted access to the Temporary Workspace to monitor and maintain the restoration of the Temporary Workspace in accordance with Grantee's federal and state authorizations for the pipeline installation. Grantee shall not construct any permanent improvements within the Temporary Workspace.

Grantor and Grantee agree that the above-mentioned consideration included payment for all damages for the construction of the Pipeline Facilities, including any severance damages to Grantor's Land.

The pipeline shall not exceed thirty-six inches (36") in diameter and shall be buried to a minimum depth of thirty-six inches (36") from the top of the pipeline to the existing surface of the ground. Neither party shall diminish or reduce the soil cover over said pipeline without the prior written consent of the other party.

Grantee has restored the contours of the surface of the Permanent Easement and the Temporary Workspace to their prior condition, as near as reasonably practicable.

The Permanent Easement includes a right of access including ingress and egress over, upon and across the Permanent Easement, but does not include any rights to ingress and egress over any other portion of Grantor's Land. The right of access is limited solely for the purpose of operating and maintaining the Pipeline Facilities and for vegetative restoration and is not to be construed as a general grant of access easement.

Grantor reserves the right to the full use and enjoyment of and may continue to use the Permanent Easement for all lawful purposes that do not interfere with the rights conveyed to Grantee herein; provided that Grantor shall not create or maintain any lake, pond, berm, reservoir or water impoundment, cultivate any trees, engage in excavation or construct or permit to be constructed any building, structure or other improvement or obstruction on, over, under, above, across, within or through the Permanent Easement, without the express written consent of Grantee.

Grantor shall be permitted to cross the Permanent Easement for purposes of constructing ingress and egress and standard utility crossings, provided that Grantor and Grantee shall first mutually agree upon the design, location and construction methods for such crossings in accordance with the terms and conditions of that certain Agreement Regarding Grant of Easement by and between Grantor and Grantee (the "Agreement"). Grantee's consent to such crossings shall not be unreasonably withheld.

This Grant of Easement shall include, and Grantee shall have, all other rights and benefits necessary or convenient for the full enjoyment of the use of the rights herein granted, including but not limited to: the rights to remove, clear and to keep clear, at any time in Grantee's sole and absolute discretion and with no additional compensation to Grantor, all buildings, walls or similar structures, above or below ground swimming pool, decks, pipelines and conduits, septic systems, leach fields, wells, rocks, trees, brush, limbs and any other structures or obstructions in or on the Permanent Easement which might interfere with the use of the Permanent Easement or the free and full right of ingress and egress; and to do any other lawful activities which are incidental to or helpful for the intended uses of the Permanent Easement set forth above.

Grantor shall not change the grade of, excavate, fill or flood the Permanent Easement, or interfere with the Grantee's vegetative maintenance activities to the extent deemed necessary by Grantee.

The failure of Grantee to exercise any rights herein conveyed in any single instance shall not be considered a waiver of such rights and shall not bar Grantee from exercising any such rights in the future, or if necessary, seeking an appropriate remedy in conjunction with such rights. In the event that the use of Grantee's natural gas pipeline shall not be maintained for the purposes herein granted for a period of three (3) consecutive calendar years, then upon receipt of a non-appealable abandonment order from the Federal Energy Regulatory Commission ("FERC"), Grantee shall have no further rights with respect to the pipeline in the

Permanent Easement herein acquired except the right to abandon the pipeline in place or the right and privilege to remove the pipeline. If Grantee removes the pipeline, Grantee shall restore the surface of the Permanent Easement to as near as reasonably practicable to its condition prior to such removal in accordance with the FERC abandonment order. Grantee shall, within six (6) months after the abandonment in place or removal of the pipeline, record in the Public Records of the county in which the Permanent Easement is located a release of the right, title and interest of Grantee in and to the Permanent Easement.

The rights, title and privileges herein granted may, in whole or in part, be sold, leased, assigned, pledged, and mortgaged, and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives. Grantee shall record any assignment of its rights hereunder in the Public Records of the county in which the Permanent Easement is located.

The parties agree that this Grant of Easement and the Agreement represent the entire agreement between the parties.

## Building Permit

Permit Number: 20221209

District Code: SW

### Levy County

310 School St.

Bronson, FL 32621

(352) 486-5198



**Parcel #:** 0983700600  
**Job Location:** 1271 NE 123 TER  
**City, State, Zip:** WILLISTON, FL 32696  
**Construction Area (Sq.Ft):** 1330  
**Flood Zone:** X  
**Minimum Finished Floor Elevation:**  
**Bottom of Lowest Horz Member:**

**Permit Type:** NC RESIDENCE SFR  
**Mobile Home Year:**  
**Permit Status:** Open  
**Date Issued:** 06/21/2022  
**Expiration Date:** 12/18/2022  
**Total Valuation:** \$206510  
**Septic Permit #:** 38SL2547509  
**Total Permit Fees:** \$6,158.51  
**Total Acres:** 1.00

**Job Description:** N/C RESIDENCE

**Applicant Name:** STEVE SMITH CONSTRUCTION  
**Phone:**  
**Email:**

**Owner:** TODD CHRISTIAN H  
**Address:** 21721 NE HWY 27  
**City, State, Zip:** WILLISTON, FL 32696  
**Phone:**  
**Email:**

### Contractors:

**Name:** STEVE SMITH CONSTRUCTION INC **Address:**  
**Email:** **License #:** CBC1256817

**Phone:** 352 538 3141  
**Exp. Date:** 08/31/2022

### NOTES:

Building Dept Created By: Wendy Feagle

Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to the property that may be found in the public records of this county and there may be additional permits required from other governmental entities such as water management district, state agencies, or federal agencies.

The issuance of this permit does not release the application from the conditions of any applicable subdivision restrictions.

**Warning to Owner: Your failure to record a notice of commencement may result in your paying twice for improvements to your property. If you intend to obtain financing, consult with your lender or an attorney before recording your notice of commencement.**

Work requiring a permit shall not commence until the permit holder or his agent post the permit card in a conspicuous place on the premises. The permit and building plans shall be protected from the weather and located in such a position as to permit the building official or representative to conveniently make required entries thereon. This permit card and building plans shall be maintained in such position by the permit holder until the Certificate of Occupancy or Completion is issued by the Building Official.

Work shall not proceed until the inspector has approved the various stages of construction. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work is authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced. Inspections indicated on this card can be arranged by telephone.

**\*JOB CARD\***

Levy County  
310 School St.  
Bronson, FL 32621  
(352) 486-5198  
Permit Number: 20221209



**THIS CERTIFIES THAT THIS**  
**BUILDING PERMIT**

WITH PERMIT # 20221209 HAS BEEN ISSUED TO  
THE OWNER TODD CHRISTIAN H AT  
SITE ADDRESS 1271 NE 123 TER

In compliance with the requirements of the  
Ordinances of **THE COUNTY OF LEVY** for

PROJECT N/C RESIDENCE

DATED 07/22/2022 Wendy Feagle  
Services Director/Building Inspector

This placard is placed in a conspicuous place on the premises.

Prepared by and return to:

Terri Wooten

Haile Title Company

4739-B NW 53rd Avenue

Gainesville, FL 32653

(352) 371-6264

File No HT-19-388

\$50,000

Parcel Identification No 04465-003-00

[Space Above This Line For Recording Data]

## WARRANTY DEED

(STATUTORY FORM – SECTION 689.02, F.S.)

This indenture made the 17th day of January, 2020 between Wendy C. Katje, a married woman, Clarence Stewart, a married man, and Corinne Tatman, a married woman, all conveying non-marital homestead property, whose post office address is 373 Washington Street, Otsego, MI 49078, grantor, to Brendan J. Rooney and Nicholette Rooney, husband and wife, whose post office address is 4615 Southeast 57th Lane, Ocala, FL 34480, Grantees:

Witnesseth, that said Grantors, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantors in hand paid by said Grantees, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantees, and Grantees' heirs and assigns forever, the following described land, situate, lying and being in Levy, Florida, to-wit:

The North 296.00 feet of the West 740.0 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.

LESS and EXCEPT the right of way for C-316 over the West 50 feet thereof and subject to a 15 foot easement along the South side thereof.

AND

The North 376.00 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.

LESS the West 740.00 feet thereof and subject to a 30 foot easement over the West 30 feet of the South 95.00 feet thereof.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to taxes for 2020 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantors hereby covenant with the Grantees that the Grantors are lawfully seized of said land in fee simple, that Grantors have good right and lawful authority to sell and convey said land and that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

✓ R FIRST AMERICAN TITLE  
3563 PHILIPS HWY STE 504 BLDG E  
JACKSONVILLE, FL 32207

In Witness Whereof, Grantors have hereunto set Grantors' hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Sign: David A. Tatman

Witness print name: David A. Tatman

Sign: Amanda Rife

Witness print name: Amanda Rife

Wendy C. Katje  
Wendy C. Katje

Clarence Stewart  
Clarence Stewart

Corinne Tatman  
Corinne Tatman

STATE OF Michigan  
COUNTY OF Allegan

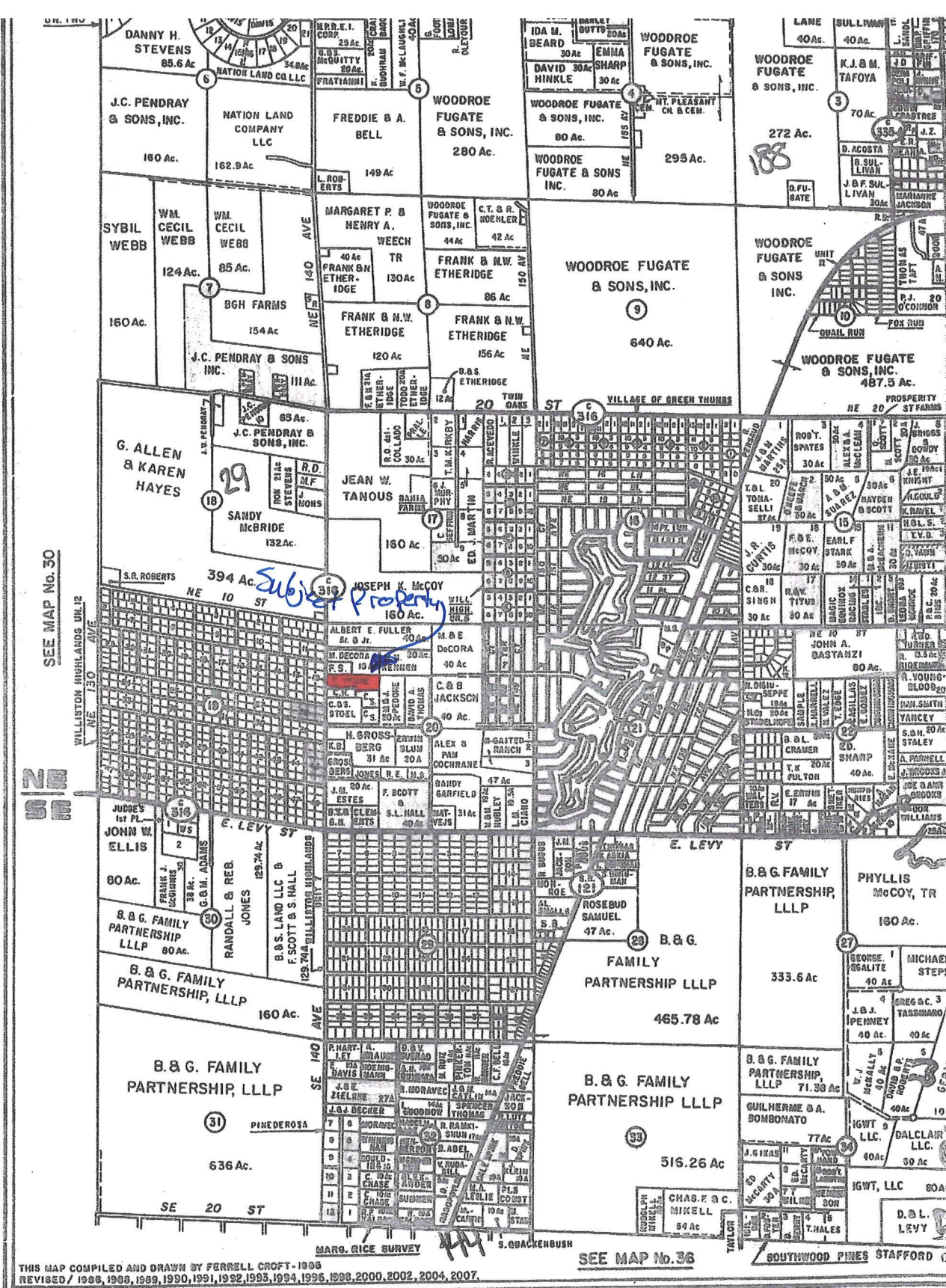
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 13<sup>th</sup> day of January, 2020, by Wendy C. Katje, Clarence Stewart, and Corinne Tatman.

Keith Dunham  
Signature of Notary Public  
Print, Type/Stamp Name of Notary

Personally Known: \_\_\_\_\_ OR Produced Identification: X  
Type of Identification  
Produced: Michigan Driver License

**KEITH DUNHAM**  
NOTARY PUBLIC - MICHIGAN  
Allegan County  
My Commission Expires May 15, 2024

Unofficial Copy

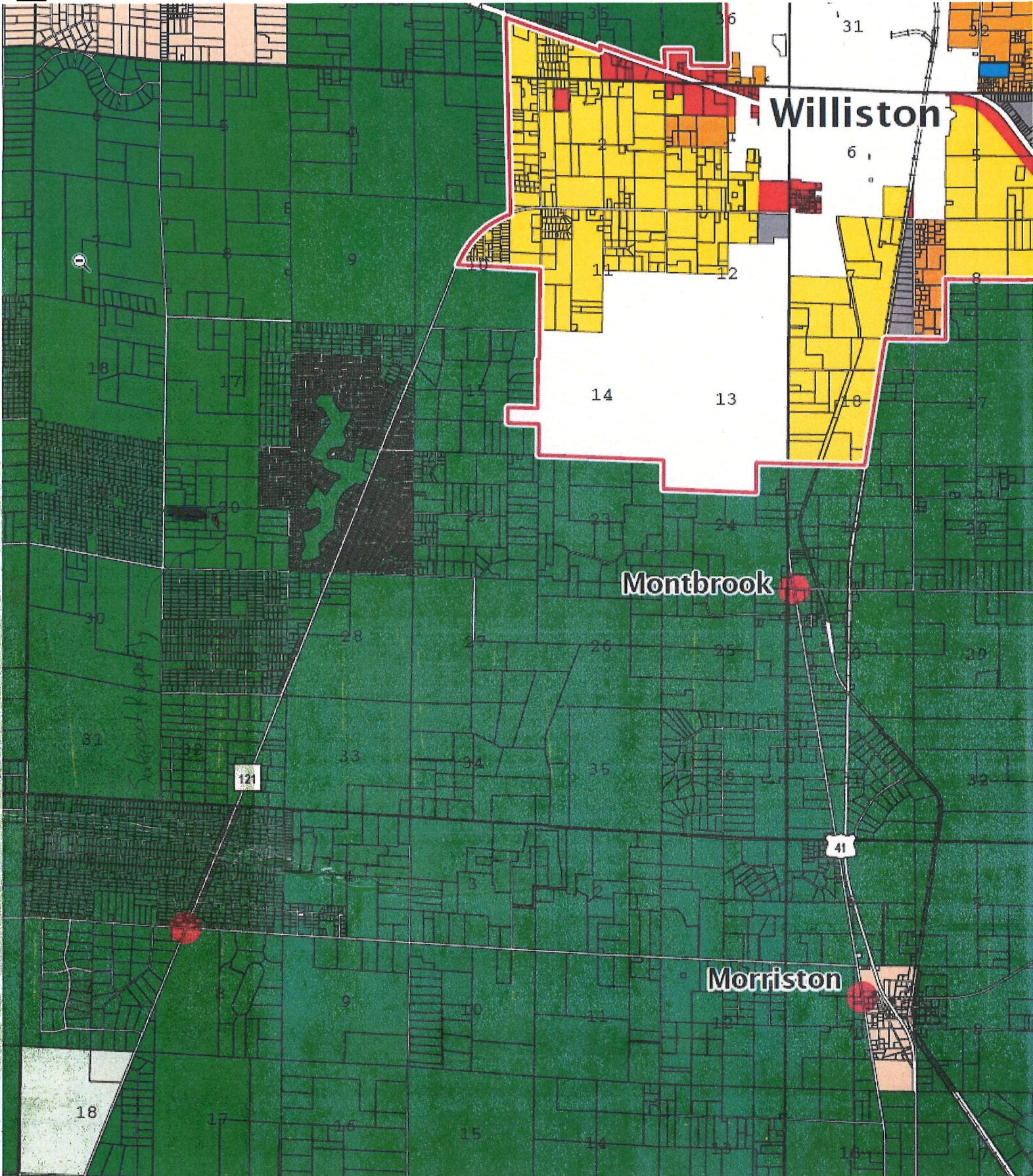


THIS MAP COMPILED AND DRAWN BY FERRELL CROFT - 1995  
 REVISED / 1986, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 2000, 2002, 2004, 2007.

SEE MAP No. 36























SOUTHWOOD PINES STAFFORD

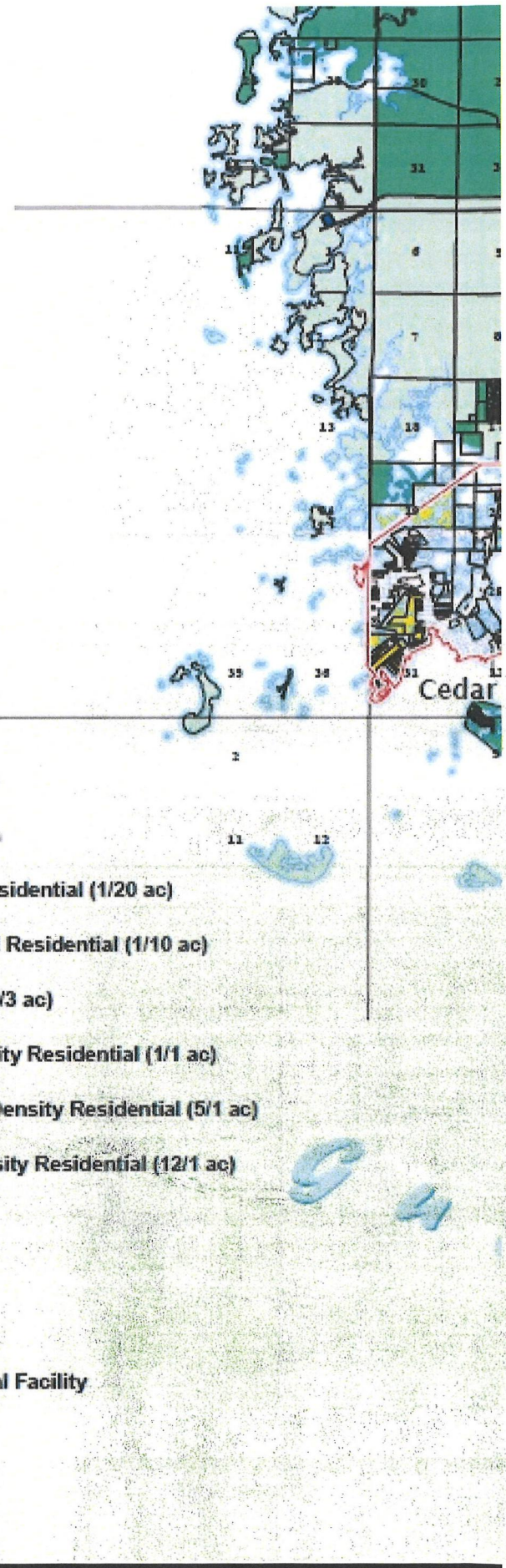




# Levy County

## LEGEND

-  County Road
-  State Road
-  US Highway
-  Municipal Service District
-  Parcel Lines (all)
-  Railroad
-  Spring Protection Zone
-  Rural Commercial Node
-  NR: Natural Reservation
-  F/RR: Forestry/Rural Residential (1/20 ac)
-  A/RR: Agricultural/Rural Residential (1/10 ac)
-  RR: Rural Residential (1/3 ac)
-  ULDR: Urban Low Density Residential (1/1 ac)
-  UMDR: Urban Medium Density Residential (5/1 ac)
-  UHDR: Urban High Density Residential (12/1 ac)
-  C: Commercial
-  I: Industrial
-  CON: Conservation
-  PF: Public & Institutional Facility
-  REC: Recreation
-  Municipal
-  HR: Historic Resources



M

# Kristine's Acres

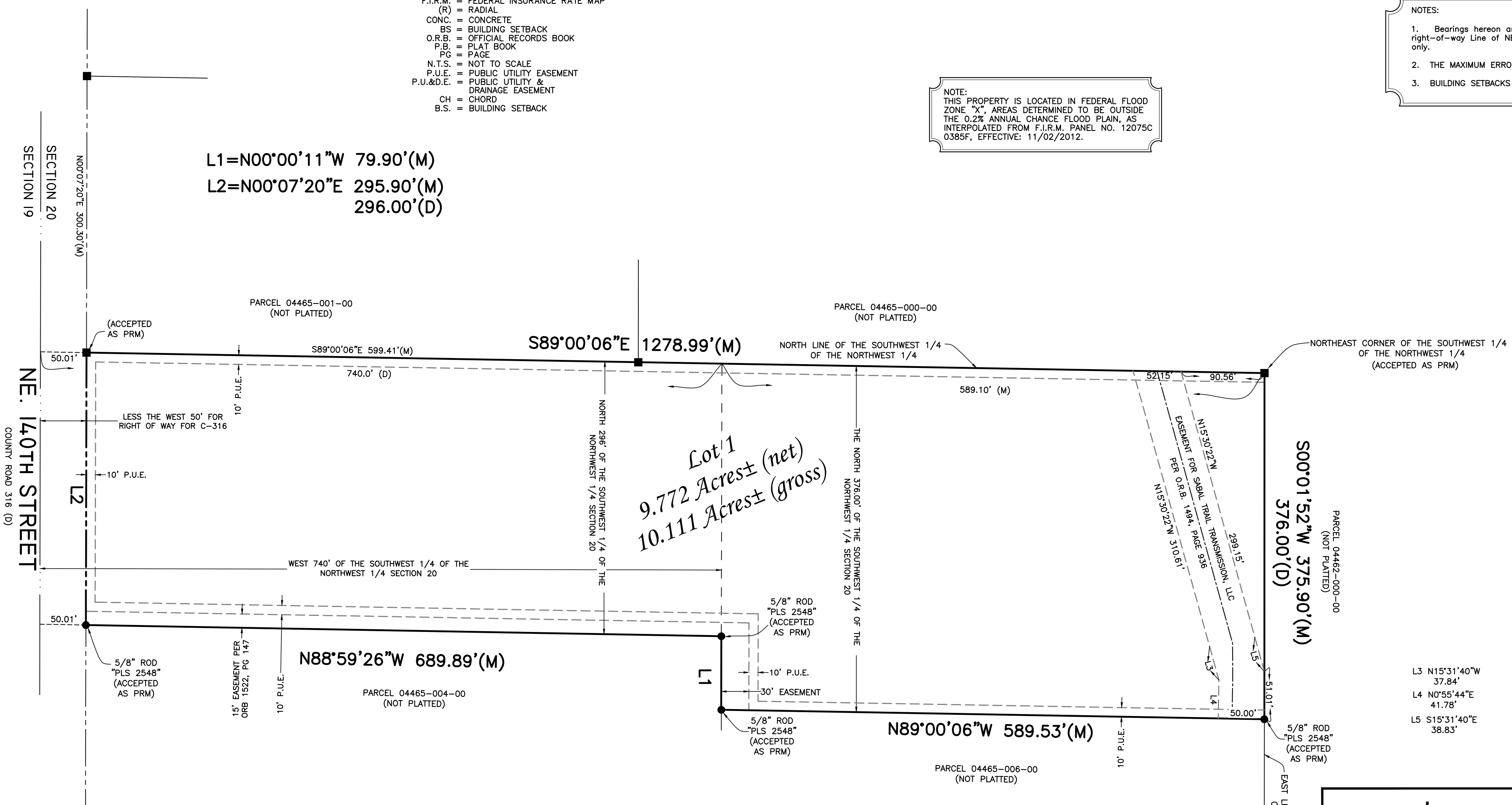
Lying in the Northwest 1/4 of  
Section 20, Township 13 South,  
Range 18 East, Levy County, Florida.

- LEGEND:
- = 4"x4" CONC. MONUMENT FOUND (NO IDENT. UNLESS SHOWN)
  - = IRON MARKER FOUND (ACCEPTED AS PRM)
  - = IRON ROD SET MARKED (WITH DESCRIPTION) (ACCEPTED AS PRM)
  - ⊙ = 1/2" IRON ROD SET MARKED "MCMILLEN P.S.M. 5469"
  - ⊕ = 1/2" IRON ROD SET MARKED "WITNESS P.S.M. 5469"
  - △ = NAIL & DISK SET FROM PCP "MCMILLEN P.S.M. 5469"
  - ◆ = UTILITY POLE
  - (P) = PLAT
  - (M) = MEASURED
  - (D) = DESCRIPTION
  - (C) = CALCULATED
  - IDENT. = IDENTIFICATION
  - (R.B.) = REFERENCE BEARING
  - P.O.C. = POINT-OF-COMMENCEMENT
  - P.O.B. = POINT-OF-BEGINNING
  - P.R.M. = PERMANENT REFERENCE MONUMENT
  - P.S.M. = PROFESSIONAL SURVEYOR & MAPPER
  - P.C.P. = PERMANENT CONTROL POINT
  - A.K.A. = ALSO KNOWN AS
  - f.k.o. = FORMERLY KNOWN AS
  - F.I.R.M. = FEDERAL INSURANCE RATE MAP
  - (R) = RADIAL
  - CONC. = CONCRETE
  - BS = BUILDING SETBACK
  - O.R.B. = OFFICIAL RECORDS BOOK
  - F.B. = PLAT BOOK
  - PG = PAGE
  - N.T.S. = NOT TO SCALE
  - P.U.E. = PUBLIC UTILITY EASEMENT
  - P.U.&D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
  - CH = CHORD
  - B.S. = BUILDING SETBACK

NOTE: THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN, AS INTERPOLATED FROM F.I.R.M. PANEL NO. 12075C 0385F, EFFECTIVE: 11/02/2012.

NOTES:

- Bearings hereon are based on an assumed value of N00°07'20"E, for East right-of-way Line of NE. 140th Street, said bearing is for computational purposes only.
- THE MAXIMUM ERROR OF CLOSURE DOES NOT EXCEED 1 : 10,000'.
- BUILDING SETBACKS TO BE VERIFIED THROUGH PLANNING DEPARTMENT.



NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

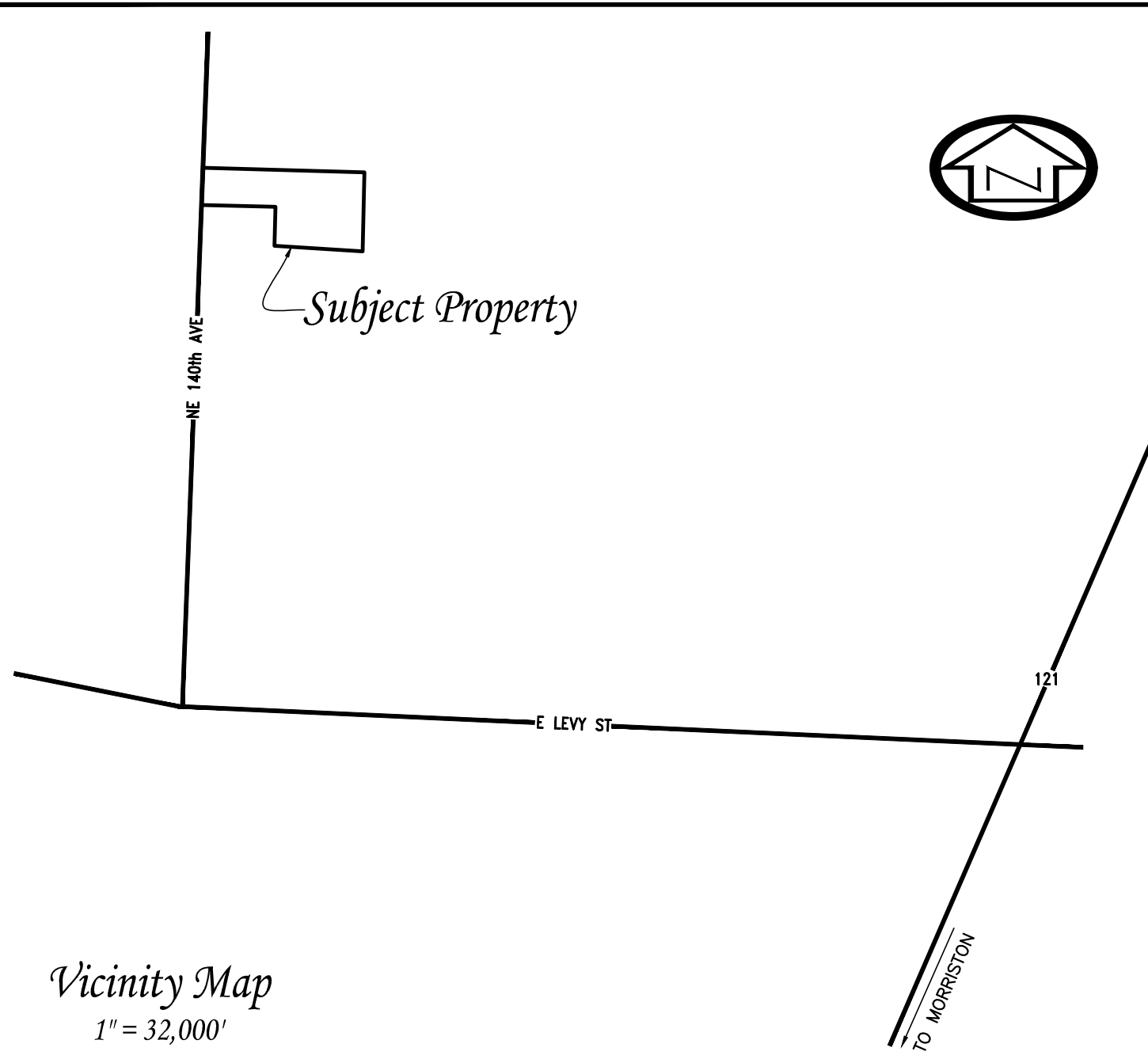
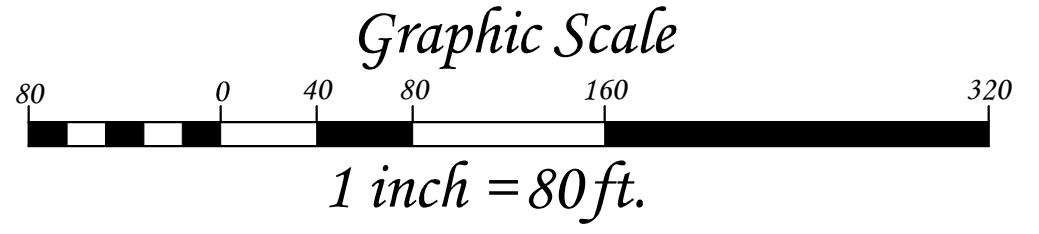
ALL PLATTED UTILITY EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

Description: (ORB 1522, PG 147)  
The North 296.00 feet of the West 740.0 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.

LESS and EXCEPT the right of way for C-316 over the West 50 feet thereof and subject to a 15 foot easement along the South side thereof.

And  
The North 376.00 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.

Less the West 740.00 feet thereof and subject to a 30 foot easement over the West 30 feet of the South 95.00 feet thereof.



**Owner's Certification and Dedication:**  
I, Kristine Kelley, hereby certify that I am the owner of the lands comprised within "Kristine's Acres" as described herein, and hereby consent to the subdivision thereof as shown. We hereby dedicate to the public, forever: all Public Utility Easements.

Kristine Kelley  
149 N Golf Harbor Path  
Inverness, FL 34450

witness \_\_\_\_\_  
witness \_\_\_\_\_

**Acknowledgment:** (State of Florida, County of Levy)  
I hereby certify that on this day personally appeared before me, Kristine Kelley, who is duly sworn and who furnished a Florida Driver's License as identification and who executed the above instrument and acknowledged before me that they executed said instrument for the use and purpose herein expressed, and did take an oath.

Witness my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 2023.

Commission Number: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Signature: \_\_\_\_\_  
County of: \_\_\_\_\_ State of: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

**Surveyor's Certificate:**  
I do hereby certify that this plat of "Kristine's Acres" is a true and correct representation of the heron described property according to a survey made under my responsible direction and supervision dated 9/14/2023, and that this plat complies with all survey requirements of Chapter 177, Part 1, Florida Statutes.

Date: \_\_\_\_\_  
Stephen M. McMillen, P.S.M. 444 NW Main Street  
Professional Surveyor & Mapper Williston, Florida, 32696  
Florida Certificate No. 5469 Phone: (352) 528-6277  
McMillen Surveying, Inc.  
Certificate of Authorization No. 8041

**County Certificates:**  
We, the undersigned do hereby certify that this plat conforms to the requirements of Levy County Ordinance and Regulations as follows:

Levy County Planning Commission (P&Z)  
Chairman - P&Z \_\_\_\_\_

Water & Sewer Requirements: I hereby certify that lot sizes shown in this subdivision comply with requirements of Chapter 381 F.S. and Chapter 62-6, F.A.C. for use of on-site sewage disposal systems and individual water supply systems. Systems size determination will be made on an individual lot basis.

Levy County Health Department  
Road Requirements: \_\_\_\_\_

Administrative Coordinator - Levy County Road Department  
Property Appraiser: \_\_\_\_\_

Levy County Property Appraiser  
Form and Legality: \_\_\_\_\_

Levy County Attorney  
Board of County Commissioners (BOCC)  
Chairman - BOCC \_\_\_\_\_

Review by Surveyor & Mapper. This is to certify that I have reviewed the plat for conformity to Part 1, Chapter 177, Florida Statutes, but have not verified survey data.

Donald A. Carswell  
Florida Certification No. 6071

**Clerk of the Circuit Court Certificate:**  
This is to certify that this plat has been filed for record in Plat Book \_\_, Page \_\_ of the public records of Levy County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2023.

Clerk of the Circuit Court Deputy Clerk \_\_\_\_\_



S

I



# LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

Planning and Zoning Department  
320 Mongo Street  
Bronson, Florida 32621  
Office (352) 486-5203/LCPZ@levycounty.org

## NOTICE OF PUBLIC MEETING FOR THE PETITION OF A FINAL PLAT

June 7, 2023

**PETITION NO. FP 23-03:** McMillen Surveying, representing Kristine Kelley of Kristine's Acres, petitioning the Commission for a Final Plat to correct the incorrect division of land, Parcel number 0446500300 and 0446500500. Said parcels are located in Section 20, Township 13S, Range 18E in Levy County, Florida and have a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). Each parcel contains 5 acres MOL, Final Platt will complete the process to produce a legal 10 acre parcel MOL.

Dear Property Owner:

This notice has been mailed to you because the proposal for this petition is located on property within three hundred (300) feet of property you own, according to the latest tax roll. This notice is also provided through advertisements in the Levy County Citizen and other appropriate publications, and signage on the proposed amendment site.

The *Levy County Planning Commission* will hold a PUBLIC HEARING on *Monday, July 10, 2023 at 5:45 pm* in the Government Center Auditorium, 310 School Street, Bronson, FL. The *Planning Commission* acts in an advisory capacity to the *Board of County Commissioners* and will hear the request and provide a recommendation to the *Board of County Commissioners*. The proposed petition will then be considered for approval by the *Board of Levy County Commissioners*, at a tentative PUBLIC HEARING set for *Tuesday, July 25, 2023 at 9:00a.m.* at the same location.

You are encouraged to attend the above mentioned meeting(s) in order to provide comments to the *Planning Commission* and *Board of Commissioners*. If you or your authorized representative cannot be in attendance, you may submit your comments in writing to the Planning and Zoning Department prior to the date of the Public Hearing.

Should you have any questions regarding this petition or the process, contact the Planning and Zoning Department at (352) 486-5203.

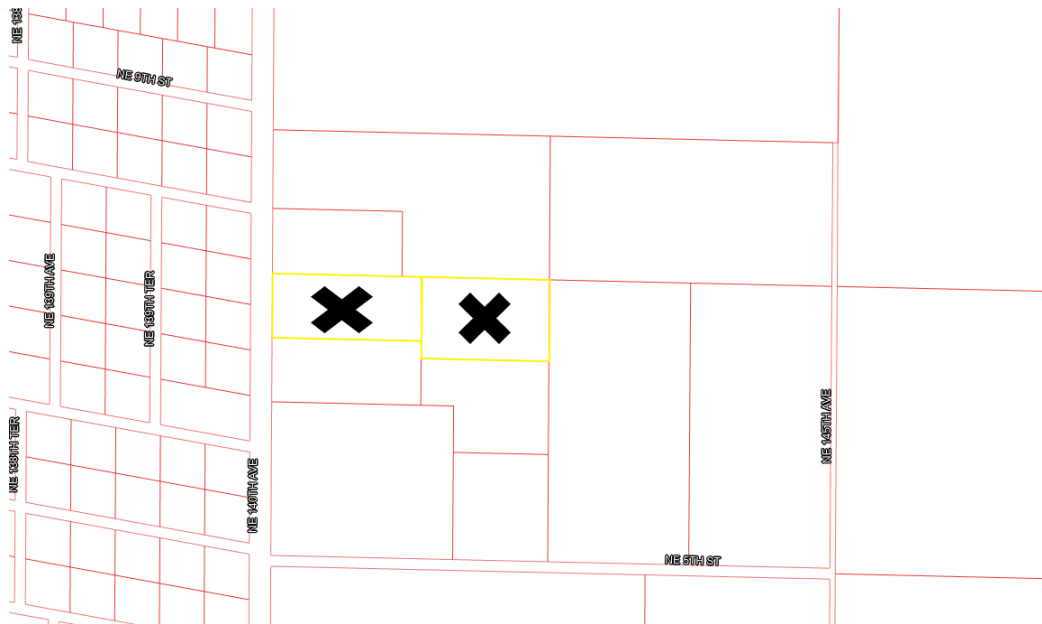
Sincerely,

Stacey Hectus  
Planning and Zoning Director

## NOTICE OF PUBLIC HEARING

A public hearing on the petition as described below will be conducted by the **Levy County Planning Commission on Monday, July 10, 2023 at 5:45 pm** or as soon thereafter as the matter may be heard during the course of action. Then again by the **Board of Levy County Commission on Tuesday, July 25, 2023 at 9:00 am** or as soon thereafter as the matter may be heard during the course of action. Both hearings will be held in the Levy County Government Center Auditorium, 310 School Street, Bronson, Florida. To keep informed of any upcoming meeting(s) on this or any other items, please sign up on our website at [www.levycounty.org](http://www.levycounty.org) or go to the direct link to subscribe: <https://meetings.municode.com/subscribe/index?cc=levyfl>

**PETITION NO. FP 23-03:** McMillen Surveying, representing Kristine Kelley of Kristine's Acres, petitioning the Commission for a Final Plat to correct the incorrect division of land, Parcel number 0446500300 and 0446500500. Said parcels are located in Section 20, Township 13S, Range 18E in Levy County, Florida and have a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). Each parcel contains 5 acres MOL, Final Platt will complete the process to produce a legal 10 acre parcel MOL.



Copies of said petitions with complete legal descriptions and subsequent staff reports (if applicable) will be available for review at the Levy County Planning and Zoning Department, 320 Mongo Street Bronson, FL 32621. For information call 352-486-5203. Interested parties may appear at the meeting and be heard regarding the proposed petitions. Any person requiring reasonable accommodations to participate in this meeting should contact the Levy County Commissioners Administration Office at 352-486-5218.

Published June 14, 2023



P.O. Box 42  
Ocala, Florida 34478  
Office: 352.624.2068  
Fax: 352.622.6643

[dnmengineering@embarqmail.com](mailto:dnmengineering@embarqmail.com)

May 24, 2023

Levy County Planning & Zoning  
320 Mongo Street  
Bronson, Florida 32621

**Re: 3RT Sand Mine  
Special Exception Application  
Levy County Parcel I.D. Nos.: 0359701600, 0359700400, 0359700000, & 0359700300  
Section 35, Township 12 South, Range 17 East  
11151 Northeast 35<sup>th</sup> Street  
Bronson, Levy County, Florida**

Dear Planning & Zoning,

Please find enclosed for review the Special Exception and Excavation & Fill Permit Applications for the above described properties located in Bronson, Levy County, Florida to be utilized for major mining, excavation and fill activity or operations where more than 10,000 cubic yards of earth (sand & clayey sands) will be excavated or removed from or deposited on a tract or parcel greater than 20 acres. Major Mining, Excavation and Fill Activity Operations is currently listed as a Special Exception Use within Land Use/Zoning District A/RR.

The current Land Use and Zoning of the subject properties are A/RR (Agriculture/Rural Residential) and have historically been utilized for farming and crops. Ryan B. Thomas, property owner, is proposing to permit the subject property as the 3RT Sand Mine to be able to excavate the sand from the subject property to be sold to independent contractors to be utilized for fill material for construction of new road/highway construction, road/highway improvements, single family residences, residential developments, commercial developments, industrial developments, concrete foundation, concrete production, horse track developments, equestrian facilities, etc. throughout Levy and other neighboring counties. The proposed number of daily one way trips from the subject properties is 75+/- with approximately 1,400+/- cubic yards of sand material to be excavated per day.

The subject properties are currently surrounded by an Agricultural Experiment Station (Rosemary Hill Observatory) on 78.81 +/- acres of land to the North/West of the subject properties and Zoned A/RR; a 50.0+/- acre parcel of land with a single family residence located to the Northwest of the subject properties and Zoned A/RR; eleven (11) 10+/- acre parcels of primarily vacant parcels land currently

Zoned RR with two of the parcels occupied by a single family mobile home residence to the North of the subject properties; ten (10) 5.0+/- or 10.0+/- acre of primarily vacant parcels of land currently zoned RR with on three of the parcels occupied by single family mobile home residences and one parcel occupied by a single family residence to the Northeast/East of the subject property; five (5) large tract parcels of land currently Zoned A/RR and utilized for Agriculture Farming/Crop land to the Southeast/South/Southwest of the subject properties; and four (4) 20.0+/- acre parcels of primarily vacant parcels of land currently Zoned RR with one parcel occupied by a single family mobile home residence to the West/Northwest of the subject properties.

The main Ingress/Egress to the subject properties will be provided by an improved driveway connection located at the intersection of County Road 337 and N.E. 42<sup>nd</sup> Street with the travel route traversing along existing dirt roads through properties currently owned by either Lee A. Thomas and Ryan Thomas. County Road 337 currently has the capacity and is structurally stable to handle the increased traffic from the proposed project. However, two (2) additional alternate routes may be utilized if determined feasible by the Board of County Commissioners with one route utilizing an existing improved private road owned by Ryan B. Thomas and accessing Northeast 30<sup>th</sup> Street (public road) located to the South of the subject properties and the other route utilizing a 30 feet easement located at the Northeast corner of the property and traversing approximately 1.2+/- miles north to U.S. Highway 27. The proposed hours of operation of the sand mine will be between the hours of 7:00 am to 6:00 pm Monday thru Saturday. All excavation on the subject property will be removed mechanically with no blasting proposed.

The major mining, excavation and fill activity or operations proposed for the subject property will be compatible with the adjoining properties by complying with all requirements and standards for approval set forth in Chapter 50, Article XIII, Division 5, and Subdivision I and Subdivision II, Levy County Code and the location, proposed ingress/egress, and design of the proposed 3RT Sand Mine will meet the following minimum and specific criteria, standards, conditions, and requirements for special exceptions for major mining operations as listed in Section 50-719, Subdivision II (c) & (d):

**(c) Minimum Criteria, Standards, and Conditions:**

- 1) The proposed mining operation does comply with all required regulations and standards of this chapter, as applicable, including provisions of Division 5, Article XIII and this section specifically, and all other regulations;
- 2) The proposed mining operation will be serviced by County Road (CR) 337 which has been determined by a traffic study and traffic impact analysis to have adequate capacity to

accommodate the increased traffic volume and load impacts and will not adversely impact any surrounding uses;

- 3) The proposed mining operation will incorporate a 100 foot setback along the entire perimeter of the subject properties where 50 feet of the 100 foot setback will be improved with a vegetative buffer and an 8 feet high earthen berm to provide the required screening and buffering from uses and structures of adjacent and nearby properties;
- 4) The proposed mining operation is consistent with the Comprehensive Plan as this type of operation is currently listed as a special exception use within the Land Use/Zoning District "A/RR;"
- 5) The proposed mining operation will not adversely impact springs, rivers, tributaries, or water quality as the proposed mining operation is located more than 5.3+/- miles from Blue Grotto Springs, 6+/- miles from Devils Den Prehistoric Springs, 7.5+/- miles from Blue Springs State Park, 25+/- miles from Fanning Springs, 23+/- miles from Manatee Springs, and 20+/- miles from the Suwannee River. In addition, the proposed mining operation is located more than 100 feet from any private water wells and more than 1000 feet from any public supply wells;
- 6) The proposed mining operation will not result in such noise, odor, dust, vibration,, off-site glare, substantial traffic or degradation of road infrastructure that will adversely impact surrounding development or cause hazardous traffic conditions due to the proposed screening/buffering to be provided around the entire perimeter of the mining operation to protect rural residential lots located to the North/Northeast/East/West of the subject properties, the existing agricultural lands/operations to the Southeast/South of the subject properties, and the Rosemary Hill Observatory to the North/West of the subject properties;
- 7) The proposed mining operation will not adversely impact recreational enjoyment of State, Federal, of County Parks by the public as the subject property is not located near any State and Federal Lands accessible to the Public and more than 4+/- miles from County Parks accessible by the public;
- 8) The proposed mining operation will not cause an adverse environmental impact to any dumpsites, landfills, effluent ponds, or public supply wellheads as there are currently no dumpsites, landfills, effluent ponds, or public supply wellheads located within 1000 feet radius of the subject property;



- 9) The proposed mining operation is not located in a prohibited areas and meets all requirements regarding buffering, access, application, impact assessment, documentation, setback slope, reclamation requirements, and any other requirements, all as contained in the section;
- 10) The proposed mining operation has obtained an Environmental Resource Permit from the Southwest Florida Water Management District (SWFWMD) (ERP Permit No.: 43046299.000 issued 12/22/2022) and has submitted the required “Notice of Intent to Mine or Mining Other Resources” to the Florida Department of Environmental Protection (FDEP) on 4/11/2023 and are currently awaiting for FDEP to request any additional information or final approval;
- 11) The proposed mining operation will not be detrimental to the area residents or businesses, or public health, safety, welfare of the community as a whole due to the subject property’s location, proposed screening/buffering being provided from neighboring properties, and traffic impact and load impact being similar in nature to the subject property’s existing agricultural operations;

**(d) Specific Criteria, Standards, Conditions and Requirements for Special Exceptions for Major Mining Operations:**

1) Prohibited Areas For Major Mining Operations

- a) The proposed mining operation is located more than 500 feet from any abandoned dumpsites, landfills, or effluent ponds as identified by the FDEP. The proposed mining operation will not be performing any blasting as part of the operation;
- b) The proposed mining operation is located more than 1000 feet from any public water wellheads of 100,000 GPD or greater (5+/- miles from the Town of Bronson Water Treatment Facility);
- c) The proposed mining operation is located more than 1 mile from any public water supply wellhead of 100,000 GPD or greater, however, no blasting is proposed to be performed as part of the mining operation;
- d) The proposed mining operation is located 23+/- miles from Manatee Springs and 24+/- miles from the Fanning Springs State Park Boundaries;
- e) The proposed mining operation is located 20+/- miles of known streams, conduits, lineaments, fractures, or matrix flow paths with the potential to impact Manatee Springs or Fanning Springs, more than 100 feet from any private supply

wells, and more than 1000 feet from any public supply wells which may directly or indirectly result in the occurrence of one or more of the following:

- i) The deterioration of water quality of adjacent private or public supply wells, or reduction of their water level.
- ii) The deterioration of water quality of flow of Manatee Springs or Fanning Springs.
- f) The proposed mining operation is located more than one-quarter mile (1,320+/- feet) from any schools, hospitals, county, state, or federal parks;
- g) The proposed mining operation is located more than one-quarter mile (1,320+/- feet) from a platted and recorded subdivision with lot sizes of five acres or less that include constructed streets and developed parcels. The subject property is located approximately 2,640+/- feet from the Black Jack Ridge Estates Subdivision to the Northwest of the subject property and approximately 1,338+/- feet to the Sunny Highlands Subdivision located to the North/Northwest of the subject property. The distance can be reduced to 660 feet to the platted subdivisions since buffering is provided and if approved by the Levy County BOCC;

2) Buffering Standards:

- a) Length: The proposed mining operation will incorporate a buffer along the entire perimeter of the subject property (18,500+/- linear feet) as to shield mining activity from incompatible land uses.
- b) Depth: The proposed mining operation will provide a minimum of 100 feet depth buffer setback measured perpendicularly from the subject property's property boundary;
- c) Opacity: The proposed mining operation will provide a vegetative buffer consisting of three (3) rows of native sand pine trees spaced six (6) feet apart and staggered rows spaced eight (8) feet apart. In addition, it is proposed to utilize overburden material and excavated sand to create an 8+/- feet high earthen berm with 1:1 side slopes to provide the required 80% opacity standard;



d) Makeup: The proposed buffer will consist of a vegetated screen augmented by a berm to obtain opacity.


- i) with the proposed earthen berm, the outer 50 feet of the buffer will consist of a vegetated buffer.
- ii) Existing trees, which is minimal, located within the vegetative screen will remain in place.
- iii) Since sufficient vegetation does not exist, the proposed vegetative screen will be planted with sand pine trees native to the area and compatible with the area soils.

e) Berms:

- i) The proposed earthen berm will run parallel to, and no closer than 50 feet from the property line.
- ii) The proposed earthen berm will be constructed to a height of 8 feet above natural surface of the ground to shield mining activity from the property lines so that it cannot be viewed through the buffer from adjoining properties when viewed from the property line. The proposed earthen berm will undulate along the perimeter of the subject property while still providing the shielding from view of the adjoining properties from the property line.
- iii) The proposed earthen berm will be stabilized with the planting of a vegetation cover and slopes will not exceed 1:1 vertical to horizontal.

### 3) Access Requirements:

- a) & b) The proposed mining operation is located within an area that has direct ingress/egress access to a major collector road (CR 337) to the west of the subject properties. However, two alternate routes accessing N.E. 30<sup>th</sup> Street to the South and a 30 feet easement accessing U.S. Highway 27 to the North could be utilized as ingress/egress routes if approved by the Planning Commission and Levy County BOCC.
- c) The proposed access and truck routes to and from the site do not traverse through platted recorded and unrecorded residential subdivisions.

- 
- d) Hauling Requirements: The traffic study prepared by Kittelson & Associates and Pavement Analysis prepared by Geo-Tech, Inc. supports that the proposed mining operation will not damage public nor private property due to the hauling of material and that hazardous traffic conditions will not be created since the special exception use is similar in nature to the existing agricultural operation. Hauling trucks utilizing public roads will be covered in a manner to prevent spillage and consistent with the Florida Department of Highway Safety and Motor Vehicles Standards and all hauling vehicles shall display the hauling company (or truck owner's name if privately owned) on the sides of the vehicle;

4) Setback Requirements:

- a) The proposed mining operation is located more than 100 feet from any road right-of-way boundary;
- b) The proposed mining operation excavation activities will occur at least 100 feet from any adjoining undeveloped lot or parcel and from any residentially developed lot or parcel boundary.

5) Slope Requirements:

The proposed mining operation of dormant sand and clay will provide a side slope not steeper than one foot rise for each three feet horizontal measurement (3:1 slopes).

6) Reclamation Plan:

The owner of the proposed mining operation has submitted the required "Notice of Intent to Mine or Mining Other Resources" application to the FDEP on 4/11/2023 and are currently awaiting the FDEP to request any additional information or issue an approval.

7) Mining Impact Assessment Report:

- a) Compatibility: The proposed mining operation will not perform any blasting to remove sand/clay materials.

b) Transportation System:

The traffic study prepared by Kittelson & Associates and Pavement Analysis prepared by Geo-Tech, Inc. supports that the proposed mining operation will not damage public nor private property due to the hauling of material and that hazardous traffic conditions will not be created since the special exception use is

similar in nature to the existing agricultural operation. Hauling trucks utilizing public roads will be covered in a manner to prevent spillage and consistent with the Florida Department of Highway Safety and Motor Vehicles Standards and all hauling vehicles shall display the hauling company (or truck owner's name if privately owned) on the sides of the vehicle;

c) Water Pumping Activities:

The proposed mining operation will not be utilizing any water pumping activities at this time.

d) Fill Activities:

The proposed mining operation will only utilize clean fill material to reclaim the subject properties back to the original agricultural use and existing grade.

If you have any questions or require any additional information, please feel free to contact our office.

Sincerely,

*Douglas VanDeursen*

Douglas A. VanDeursen, P.E.  
President

**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

**Filing Date** \_\_\_\_\_

**Petition No. SE** \_\_\_\_\_

**Fee:** \$3,600 (see fee schedule)

**Validation No.** \_\_\_\_\_

**TO THE LEVY COUNTY PLANNING COMMISSION:**

Special exceptions are intended to provide for land uses and activities not permitted by right in the applicable zoning district where they are located. Because a special exception use is not normally a permitted use in a particular district, the burden is placed upon the applicant to document that the granting of a special exception is suitable in the area and will not create a hardship upon adjoining properties as they are currently being used or as they may be used in the future.

This application is hereby made to the Board of County Commissioners (BOCC) of Levy County, Florida, pursuant to the provisions of Chapter 163, Florida Statutes, the adopted Levy County Comprehensive Plan and Chapter 50 of the Levy County Code (Land Development Code), petitioning for a Special Exception on the following described property:

**Section I. APPLICANT INFORMATION:**

Please print unless otherwise specified.

Applicant's Name <u>Ryan Thomas</u>	Owner's Name <u>Lee A. Thomas</u>
Address <u>11151 N.E. 35th Street, Bronson, FL</u>	Address <u>4990 N.E. 195th Street, Williston, FL</u>
Zip Code <u>32621</u> Phone No. ( <u>352</u> ) <u>258-9547</u>	Zip Code <u>32696</u> Phone No. ( <u>352</u> ) <u>258-9547</u>
email <u>rbthomas75@gmail.com</u>	email <u>rbthomas75@gmail.com</u>

**Section II. PARCEL INFORMATION:**

Parcel Number (s)	Section/Township/Range	Acreage
1. <u>0359701600</u>	<u>35/12S/17E</u>	<u>80+/-</u>
2. <u>0359700400</u>	<u>35/12S/17E</u>	<u>160+/-</u>
3. <u>0359700000</u>	<u>35/12S/17E</u>	<u>120+/-</u>
4. <u>0359700300</u>	<u>35/12S/17E</u>	<u>40+/-</u>
SEE ATTACHMENT "A" FOR INGRESS/EGRESS PROPERTIES		Total Acreage: <u>400+/-</u>

Subdivision Name (if applicable): \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Current Land Use: A/RR Current Zoning: A/RR

Current Use (Actual) and Improvements on the Property: (i.e. Single-family, well & septic, pole barn, ect. Farm/Crop Land improved with (2) Pole Barns, (2) 10" Wells and (2) 4" wells

Proposed Use:  
Major Mining, Excavation, and Fill (Sand Mine)

**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

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Directions to the Property: (Please start directions from a State or County Road):

From Bronson, FL head South on N.E. CR 337 approximately 3.82+/- miles to N.E. 42th St. (Main Ingress/Egress Driveway Connection);

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**Section III. TO BE SUPPLIED AT THE TIME OF SUBMISSION;** Attach the items in the order listed below. The application will not be processed without these items. Any information changes must be submitted, in writing, to the Planning and Zoning Department and received within 10 working days prior to the Planning Commission Public Hearing.

\*\*\* Upon completion of the above application, **please submit the original and four (4) copies** to the Levy County Planning and Zoning Department, 320 Mongo Street, Bronson, Florida, for staff review and comment. After the application has been found complete, an additional twenty (12) copies will need to be submitted for distribution to the Planning Commission, Board of County Commission and office staff.

**Surrounding Land Owners & Mapping**

X A list of names and addresses of property owners within 300 feet of the subject property (excluding rights-of-way) with corresponding address labels. This information shall be based on the latest available property records of the Levy County Property Appraiser. The applicant shall also provide a map clearly showing the subject property and all of the other properties within 300 feet. As per our conversation with Debbie Benton with Levy County, the requirements of this item will be handled internally upon submittal of the application.

**Property Description**

X **Property Deed.** The most recent deed pertaining to the proposed special exception property. This may be obtained from the Clerk of the Circuit Court's Office.

X **Certified property boundary survey.** Provide a certified legal boundary survey of the proposed special exception site. If the proposed special exception is to be on only part of the parcel, indicate that area. The legal description of the parcel or portion of the parcel must be described and signed and stamped by a certified Registered Land Surveyor (RLS), Professional Land Surveyor (PLS), Professional Mapper and Surveyor ( PMS), or a professional engineer (PE).

X **Detailed Site Plan.** See Section IV of this application for required information to be shown on the site plan.

X **Photographs.** Provide at least four (4) photographs showing site views from the site looking north, south, east and west. Identify the photo viewpoint and provide a brief description beneath each view (North, South, East, West). Additional photos showing relevant information may also be included.

**Maps** All required maps and information can be obtained from the Levy County Property Appraiser.

X **Property Appraiser's Parcel Map.**

1. Identify the proposed site clearly using a color or pattern.
2. Identify on the map the existing uses within 300 (three hundred) feet of the subject property's boundary using the following descriptive types: Residential, Commercial, Industrial, Recreation, Crops/Farming, Silviculture and Undeveloped. Please indicate all uses on the adjacent property. For example, residence and crops/farm, or Commercial/restaurant and recreational/golf course.
3. Identify the FLUM designation and zoning classifications for those properties identified by question #2.

X **Property Appraiser's Aerial Photograph with Parcel Overlay.** Identify the proposed site clearly using a bright color or pattern taking care to obscure as little information as possible.

**SPECIAL EXCEPTION APPLICATION  
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**Documentation**

X     **Existing Conditions and Compatibility on Property adjacent to the proposed special exception site.**  
Provide a cover letter for this application which documents in writing how you believe the proposed special exception will be compatible with the adjoining development and the proposed zoning district where it is to be located.

X     A narrative description of the total project in sufficient detail to provide an understanding of the nature of the development proposal and a statement describing how the special exception meets all requirements, criteria, and standards for approval set forth in Chapter 50, Article XIII, Division 5, and Subdivision I and Subdivision II, Levy County Code.

**Note: The Planning and Zoning Department, Planning Commission, the BOCC, or other provisions of the Levy County Code, may require additional information to be included in any site plan submitted with this application.**

**Section IV. Detailed Site Plan:** The applicant shall submit a site plan of his proposed special exception to be reviewed by the Planning Commission and the Board of County Commissioners. The site plan should be detailed at a scale of 1" = 20' or larger (subject to the Zoning Official's approval), showing the relationship of existing and proposed structures and uses on the parcel. Where site plan approval is required, and the development is not being submitted as a PUD as provided in Section 50-901 ff., Levy County Code, the following shall be required:

- 1) Project identification.**
  - a. Title of project or development.
  - b. Name of engineer, architect and developer (if different than applicant).
  - c. North point, scale, date and legal description of the entire property encompassing the special exception.
  
- 2) Existing conditions.**
  - a. Boundaries of the property involved, all existing easements, existing buildings, section lines, property lines, existing street paving and rights-of-way, topography, existing surface water areas, existing water mains, sanitary and storm sewers, culverts and other underground structures in and adjacent to the property.
  - b. A one inch equals 200 feet (1" = 200') aerial photograph of sufficient quality to delineate existing vegetation, or a tree survey prepared by a licensed surveyor or engineer.
  
- 3) Proposed development plans.**
  - a. Proposed placement of structures on the property, provisions for ingress and egress, off-street parking and off-street loading areas, refuse and service areas and required yards and other spaces.
  - b. Plan showing proposed locations for utility hookups.
  - c. Plan for screening and buffers, with reference to type, dimensions and character.
  - d. Proposed landscaping.
  - e. Proposed signs and lighting, including type, dimensions and character.
  - f. Size of proposed lot (s) or parcel (s).



**SPECIAL EXCEPTION APPLICATION  
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**4) Tabulation of proposed development plans.**

- a. Tabulations of total number of gross acres in the site and the acreages and percentages thereof proposed to be devoted to the uses including: uses (residential, commercial, industrial or other nonresidential), streets, parking and open and enclosed storage areas.
- b. Tabulations of total number of dwelling units by dwelling type within the project.
- c. Proposed development schedule and phasing.
- d. Square footage of floor area by type of structure.

**Section V. Additional written and mapping documentation required for the specific proposed special exceptions listed in Schedule I of Section 50-676, Levy County Code, in applicable zoning districts.** These uses include, but are not limited to, mining, excavation and quarries, development in the Airport Overlay Zone, and concentrated commercial farming operations. Confirm with the Planning and Zoning Department whether the proposed use requested has additional requirements.

**Section VI. In order for a special exception to be approved, the applicant must show that it meets the following criteria, at a minimum, and any other applicable requirements, criteria or standards as set forth in the Land Development Code. \*Please make all narrative responses to numbers 1 – 8 on the following provided page. While all documents, maps, etc., that support a response should be included in the application, narrative responses cannot be simply referred to another document, map, etc. in your application; doing so will result in an incomplete application.**

- 1) **That** the use is a special exception use as set forth in Schedule 1. Use Regulations, of section 50-676, Levy County Code, or as set forth in the Levy County Comprehensive Plan.
- 2) **That** the use is so designated, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.
- 3) **That** the use will not cause substantial injury to the value of other property in the neighborhood where it is to be 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.
- 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.
- 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.
- 7) **That** the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.
- 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 Chapter 50, Article XIII, Division 5, Subdivision II, Levy County Code and with any specific requirements for the use contained in Chapter 50, Article XIII, Division 3, Subdivision II, Levy County Code.

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**COMPLETE RESPONSES MUST BE PROVIDED ON THIS PAGE. IF MORE SPACE IS NEEDED, PLEASE ATTACH AN ADDITIONAL PAGE. IF THERE IS ANY DOCUMENTATION TO SUPPORT THE RESPONSES BELOW, PLEASE ATTACH SUCH DOCUMENTATION.**

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- 1) That the use is a special exception use as set forth in Schedule 1. Use Regulations, of section 50-676, Levy County Code, or as set forth in the Levy County Comprehensive Plan.  
Major mining, excavation and fill activities or operations is listed as a special exception for District "A/RR."  

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- 2) That the use is so designated, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.  
The proposed use is remotely located and will be operated in accordance with the requirements of Chapter 50-719 of the Levy County Code in order to protect Public Health, Safety, Welfare, and Convenience.  

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- 3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.  
By incorporating the requirements of CH. 50-719 of the Levy County Code into the design of the proposed use, the proposed use will not cause substantial injury to the value of the property(s) in the neighborhood where it is located and the land will return to the original use of Farm/Crop Land upon completion.  

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- 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.  
The proposed property is suitable for the proposed mining activity based upon the geotechnical evaluation performed on the property and based upon the location, shape, topography, and is similar in compatibility with neighboring properties that major mining activities are to be allowed as a Special Exception within District A/RR.  

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- 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.  
The proposed project will incorporate a vegetative buffer consisting of the planting of Sand Pines spaced 6 feet apart in staggered rows 6 feet apart within a minimum 50 feet width of the provided 100 feet setback from property lines and to provide a minimum of 80% opacity while standing at the property lines.  

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- 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.  
No off-street parking and loading are required for the proposed use and the Ingress/Egress to/from the property will be from a privately owned improved road therefore not causing congestion of vehicular or pedestrian traffic on abutting streets.  

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- 7) That the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.  
The proposed major mining use conforms with all applicable regulations governing the District A/RR.  

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- 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 Chapter 50, Article XIII, Division 5, Subdivision II, Levy County Code, and with any specific requirements for the use contained in Chapter 50, Article XIII, Division 3, Subdivision II, Levy County Code.  
The proposed major mining use is consistent with the Levy County Comprehensive Plan, Land Development Code, and the application and use complies with the applicable requirements of Chapter 50-729 of the Levy County Code.  

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**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

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**STANDARD CONDITIONS OF APPROVAL – THESE CONDITIONS, IN SUBSTANTIALLY THE FORM CONTAINED HEREIN, WILL BE CONTAINED IN EACH ORDER OF APPROVAL FOR SPECIAL EXCEPTIONS. THERE MAY BE ADDITIONAL CONDITIONS THAT WILL APPLY.**

1. The following words, terms, or phrases, when used in this Order or Conditions of Approval, shall have the meanings ascribed to them in this Condition 1, except where the context clearly indicates a different meaning:

*Applicant* shall mean \_\_\_\_\_, jointly or severally (use this phrase if more than one applicant) or any of his/her, its or their successors or assigns.

*Application* \_\_\_\_\_ shall mean the request filed by Applicant with the County for a Special Exception for \_\_\_\_\_ including the completed application form and all additional documents submitted by the Applicant (include all supplementary documents if unusual supplementary documents are part of the application so that maps/other documents that were part of the Application are identifiable).

*County* shall mean Levy County, Florida.

*Department* shall mean the Levy County Planning and Zoning Department, or any successor County Department with the duties of administering and enforcing the zoning regulations of the County.

*Subject Property* shall mean the property described on Exhibit "A" attached hereto. (Or described as (and insert legal): \_\_\_\_\_ ).

2. The Conditions of Approval contained in this Order shall be enforceable against the Applicant, any of the Applicant's parent entities, any of the Applicant's subsidiary entities that are involved in any way in the activities, uses, or operations approved by this Order, the owner of the Subject Property, any operator of the activities or operations approved by this Order, the holder of the special exception approval granted by this Order, or any of their successors or assigns, jointly and severally. In addition, any decision, approval, or determination made or required to be made by the County or the Department pursuant to any Condition of Approval contained in this Order shall be final.

**SPECIAL EXCEPTION APPLICATION  
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**STANDARD CONDITIONS OF APPROVAL**

3. The approval granted by this Order is for \_\_\_\_\_ (insert the use from the Application). The approval granted by this Order is also subject to any and all conditions or requirements contained in Section \_\_\_\_\_ (insert the specific section number that governs the use, if any), Levy County Code, for \_\_\_\_\_ (insert the term from the Code for the proposed use), and all other applicable provisions of the Levy County Code, regardless of whether such condition or requirement is expressly set forth in these Conditions of Approval.

4. Issuance of this Order does not in any way create any rights on the part of the Applicant to obtain a permit from any state or federal agency and does not create liability on the part of the County for issuance of this Order if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by such state or federal agency or undertakes actions that result in violation of state or federal law.

5. All other state or federal permits applicable to the approvals granted by this Order shall be obtained prior to commencement of the use of the Subject Property for \_\_\_\_\_ (insert proposed use from Application).

**I have read and understand the foregoing Standard Conditions of Approval and that these Standard Conditions of Approval will be contained in any Order granting approval of this application, if this application is approved, in substantially the same form as shown.**

**Applicant's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

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**Section VII. COMPREHENSIVE PLAN.** The proposed use must be compatible with the Comprehensive Plan and Future Land Use Map. Refer to the adopted Levy County Comprehensive Plan for applicable goals, objectives and policies. For assistance, call the Levy County Planning and Zoning Department at 352-486-5203.

**Section VIII.** The applicant states that he/she has read and understands the instructions and submission requirements stated in this application. Approval granted by the BOCC in no way constitutes a waiver from any applicable local, state, or federal laws, statutes, ordinances, rules or regulations.

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner or authorized agent of the above described property.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

**Section IX. APPLICATION INSTRUCTIONS:**

- ( a ) An application for a special exception must be accompanied with a fee as contained in the most recent fee schedule adopted by the BOCC. Please note, the application fee may be subject to change. Confirm fee at the time of application.
- ( b ) If the applicant is not the owner of record of the property, the owner must agree to this application either by signing the application form, or by submitting a notarized letter authorizing the applicant to act as an agent. **Owner's authorization is required at the time this application is submitted.**
- ( c ) **All required documentation and submission material is required to accompany the application at the time the application is submitted. Applications are screened for completeness. Depending on the proposed use, additional information may be required. Failure to provide all information and submission material required shall delay the review of the application until such time as all materials are received.**
- ( d ) The minimum criteria for the applicable zoning district must be met uniformly for every special exception. These standards are not exclusive of any other standards which may be established by the Planning Commission or the BOCC due to particular circumstances which are unique to the property for which the special exception is being requested.
- ( e ) **Special exception applications are processed once a month. Applications received and found complete by the first day of a month will tentatively be scheduled, advertised and presented at the Planning Commission public hearing the following month, and for the BOCC public hearing the next following month. Applications received after the first day of a month will not be scheduled for the following month.**
- ( f ) Any information changes must be submitted in writing to the Planning and Zoning Department and received within 10 working days prior to the Planning Commission public hearing.

**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

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( g ) Applications may be submitted as follows:

In Person: Levy County Planning and Zoning, 320 Mongo Street, Bronson, Florida.

By Mail: Levy County Planning and Zoning, 320 Mongo Street, Bronson, Florida, 32621.

( h ) This office will prepare the poster and place it on the property involved in this request.

( i ) Abutting property owners will be notified by mail of the request. "Abutting property" is any property immediately adjacent or contiguous to the property which is the subject of this request or located within 300 (three hundred) feet of the subject property lines including, immediately across any road or public right-of-way for said property.

( j ) **The parties in interest (including the applicant) shall appear at the hearings in person, by agent, or by attorney. (Section 50-798, Application Procedures, Levy County Code)**

The Planning Commission or the BOCC, at their respective discretion, may defer action, or take decisive action on any application.

**Additional Assistance:** If you require further information, please contact the Planning and Zoning Department at (352) 486-5203, email to: [planning@levycounty.org](mailto:planning@levycounty.org) or visit the above address in person.

OFFICE USE ONLY:

Planning Commission Public Hearing Date: \_\_\_\_\_

Planning Commission Recommendation: Approval \_\_\_\_\_ Denial \_\_\_\_\_

BOCC Public Hearing Date: \_\_\_\_\_

BOCC Action: Approval \_\_\_\_\_ Denial \_\_\_\_\_

Order Number: \_\_\_\_\_ Adoption Date: \_\_\_\_\_

Notes, Instructions and Comments:

SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA

**Section X. CERTIFICATION**

The undersigned has read and understands the application, and has received, read and understands the submittal requirements. It is agreed and understood that the undersigned will be held responsible for the accuracy of the application and information submitted. The undersigned hereby attests to the fact that the parcel number (s) and legal description (s) provided is/are the true and proper identification of the area of which the petition is being submitted. Signatures of all owners or their agents are required on this form. Signatures by other than the owner (s) will be accepted only with notarized proof of authorization by the owner (s).

**Owner of Record**

Name: Ryan Thomas

Address: 11151 N.E. 35th St., Bronson, FL 32621

Phone: (352) 258-9547

**Owner of Record**

Name: Lee A. Thomas

Address: 4990 N.E. 195th Ct., Williston, FL 32696

Phone: (352) 258-9547

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at any pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form. To meet with staff to discuss the proposal, please call (352) 486- 5203 for an appointment.

**OWNER VERIFICATION**

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner of the above described property.

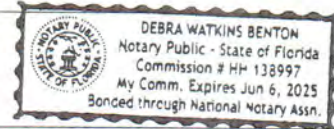
Date: 5/16/23 Owner Signature [Signature]

STATE OF FLORIDA  
COUNTY OF Levy

Sworn to and scribed before me this 16 Day of May 20 23, by (name)

Personally known X Identification Expiration Date: \_\_\_\_\_

[Signature]  
Notary Public Signature



**AGENT VERIFICATION**

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the authorized agent of the above described property.

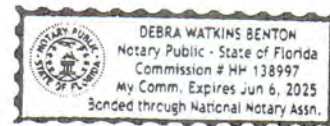
Date: 5/16/2023 Authorized Agent Signature [Signature]

STATE OF FLORIDA  
COUNTY OF Levy

Sworn to and scribed before me this 16 Day of May 20 23, by  
Ryan Thomas

Signature – Notary Public [Signature]

Personally known X Identification Expiration Date \_\_\_\_\_



**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

**Section X. CERTIFICATION**

The undersigned has read and understands the application, and has received, read and understands the submittal requirements. It is agreed and understood that the undersigned will be held responsible for the accuracy of the application and information submitted. The undersigned hereby attests to the fact that the parcel number (s) and legal description (s) provided is/are the true and proper identification of the area of which the petition is being submitted. Signatures of all owners or their agents are required on this form. Signatures by other than the owner (s) will be accepted only with notarized proof of authorization by the owner (s).

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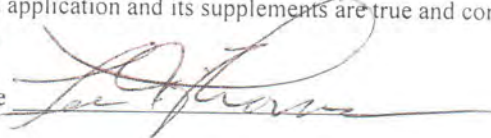
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**OWNER VERIFICATION**

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Date: 5/16/2023

Owner Signature



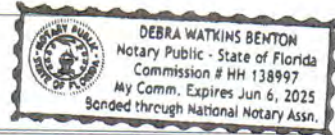
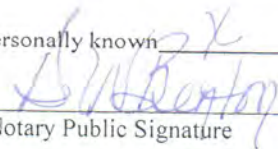
STATE OF FLORIDA  
COUNTY OF Levy

Sworn to and scribed before me this 16 Day of May 2023, by (name)

Personally known X

Identification Expiration Date: \_\_\_\_\_

Notary Public Signature

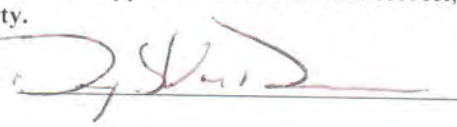


**AGENT VERIFICATION**

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the authorized agent of the above described property.

Date: 5/16/2023

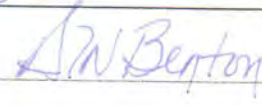
Authorized Agent Signature



STATE OF FLORIDA  
COUNTY OF Levy

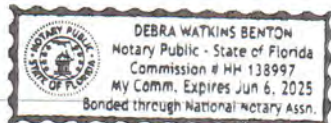
Sworn to and scribed before me this 16 Day of May 2023, by

Signature – Notary Public



Personally known X

Identification Expiration Date \_\_\_\_\_





ATTACHMENT "A"

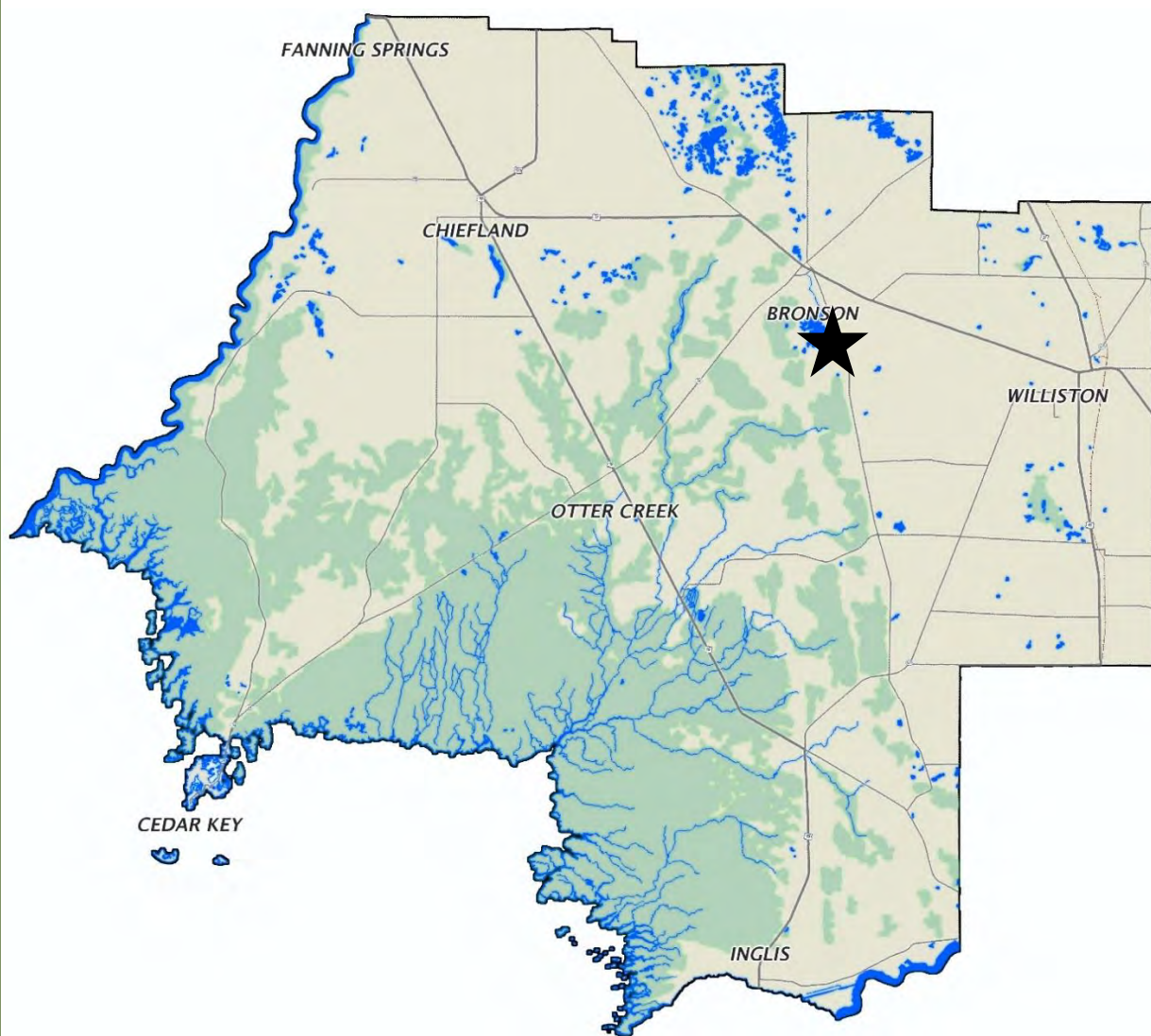
SECTION II: PARCEL INFORMATION

INGRESS/EGRESS PROPERTIES

<u>Parcel Number(s)</u>	<u>Section/Township/Range</u>	<u>Acreage</u>	<u>Owner</u>
5) 0360400600	02 / 13S / 17E	80+/-	Ryan Thomas
6) 0360400000	02 / 13S / 17E	40+/-	Ryan Thomas
7) 036040040B	02 / 13S / 17E	20+/-	Ryan Thomas
8) 036040040A	02 / 12S / 17E	20.54+/-	Ryan Thomas
9) 0360400400	02 / 13S / 17E	40.54+/-	Ryan Thomas
10) 0360400500	02 / 13S / 17E	80+/-	Ryan Thomas
11) 0360600500	03 / 13S / 17E	26+/-	Ryan Thomas
12) 0360600300	03 / 13S / 17E	151.44+/-	Lee A. Thomas
13) 0360600000	03 / 13S / 17E	45.83+/-	Lee A. Thomas
14) 0359400000	34 / 12S / 17E	160+/-	Lee A. Thomas
15) 0359200000	33 / 12S / 17E	49+/-	Lee A. Thomas

# SPECIAL EXCEPTION APPLICATION SE 23-01

## 3RT Sand Mine



PREPARED  
JUNE 12,  
2023

LEVY COUNTY PLANNING AND ZONING DEPARTMENT  
STAFF REPORT

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

**Owner(s):** Ryan Thomas  
11151 NE 35<sup>th</sup> Street  
Bronson, FL 32621

Lee Thomas  
4990 NE 195<sup>th</sup> Street  
Williston, FL 32696

**Applicant:** DNM Engineering Associates, Inc. on behalf of Ryan Thomas  
PO Box 42  
Ocala, FL 34478

**Legal**

**Description:** See legal descriptions attached as part of the application

**Parcel ID Number(s): Mine Parcels:** 0359701600, 0359700400, 0359700000, and 0359700300  
**Ingress/Egress Parcels:** 0360400600, 0360400000, 036040040B, 036040040A, 0360400400, 0360400500, 0360600500, 0360600300, 0360600000, 0359400000, and 0359200000

Commission Dist.: District 1, Commissioner John Meeks

Total Project Area: Approximately 400 acres of mining and 713.35 additional acreage for ingress/egress for a total acreage of 1113.35 MOL.

Current Land Use Designation: Agriculture/Rural Residential (A/RR) and Rural Residential (RR)

Current Zoning Designation: Mining area in Agriculture/Rural Residential (A/RR) and Access in Agriculture/Rural Residential (A/RR) and Rural Residential (RR)

Existing Use of Property: Residential, vacant, pastureland, cropland and accessory farming structures

Proposed Use: Major Mining, Excavation and Fill (Sand Mine), no blasting

\*\*\*\*\*

**Staff Review Based on Submitted Application:**

The applicant is requesting a Special Exception via Land Development Code Section 50-796 and specifically from Sec. 50-719 Mining and excavation of minerals, resources, or natural resources, and site reclamation. In Agriculture/Rural Residential, sand mines require a Special Exception. The applicant is considering this Major Mining because the following threshold has been met: a mining activity or operation where more than 10,000 cubic yards of earth, minerals, resources, or natural resources are excavated or removed from or deposited on a tract or parcel of 20 acres or greater.

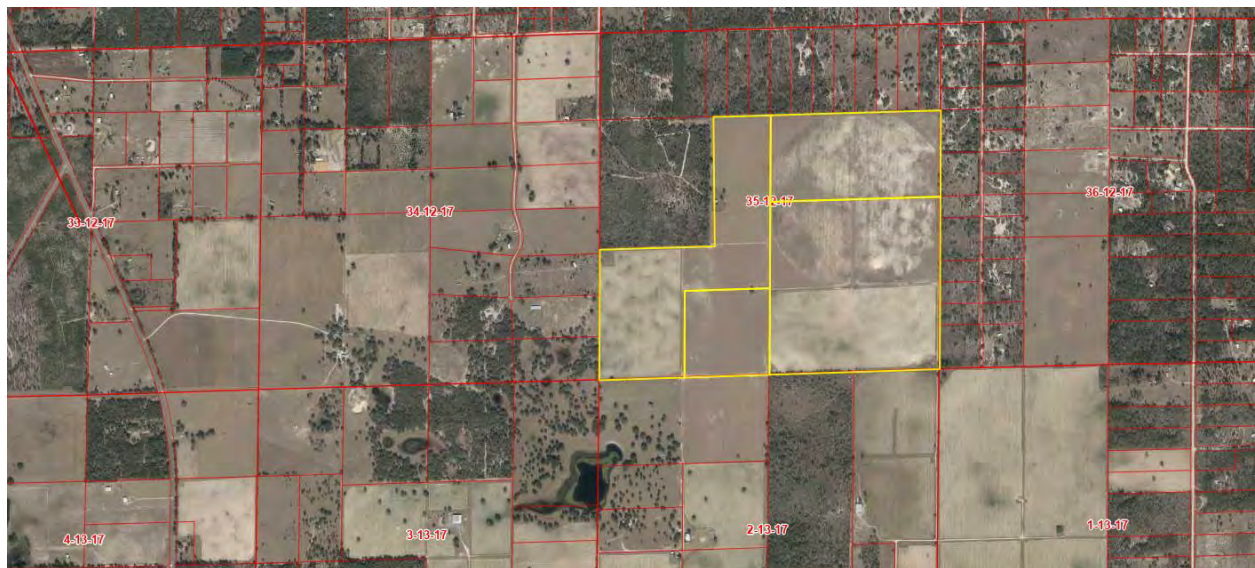
The mine will operate on the four parcels listed above and utilize 11 other “family” property for ingress/egress to access CR 337, a county, maintained, paved road classified as a major collector. See the specific parcels listed above.

This property lies approximately 4 miles from downtown Bronson. This parcel is surrounded by Agriculture/Rural Residential (A/RR) and Rural Residential (RR). It is also adjacent to the University of Florida Rosemary Hill Observatory which has a future land use and zoning of Public Facilities.

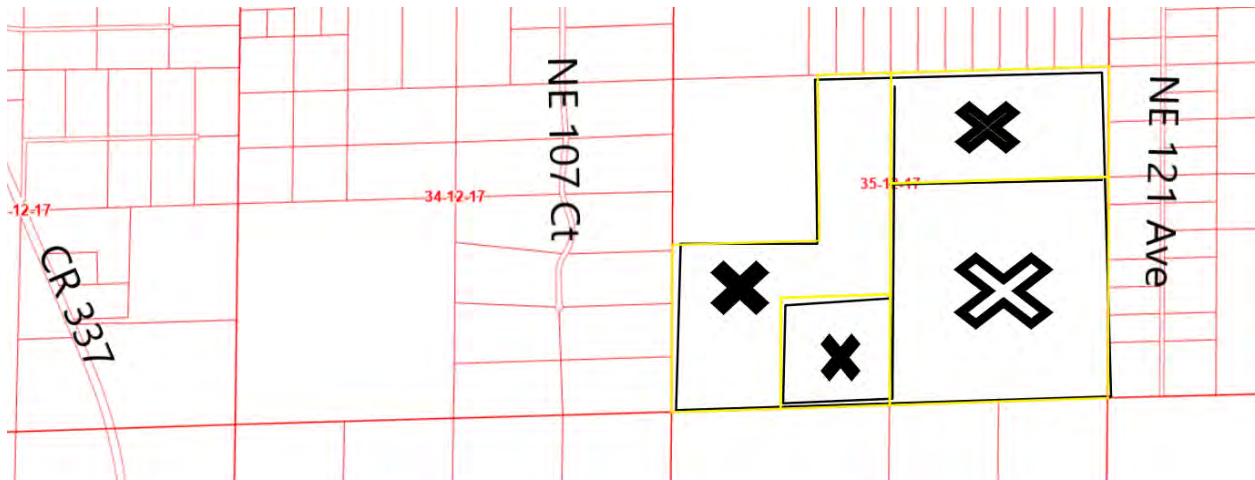
The applicant, included in their submittal, their detailed site plan, ingress/egress plan, photo array, ERP Application including the Geotech Report. This will be required to permit through both the Southwest Florida Water Management District and the Department of Environmental Protection.

\*\*\*\*\*

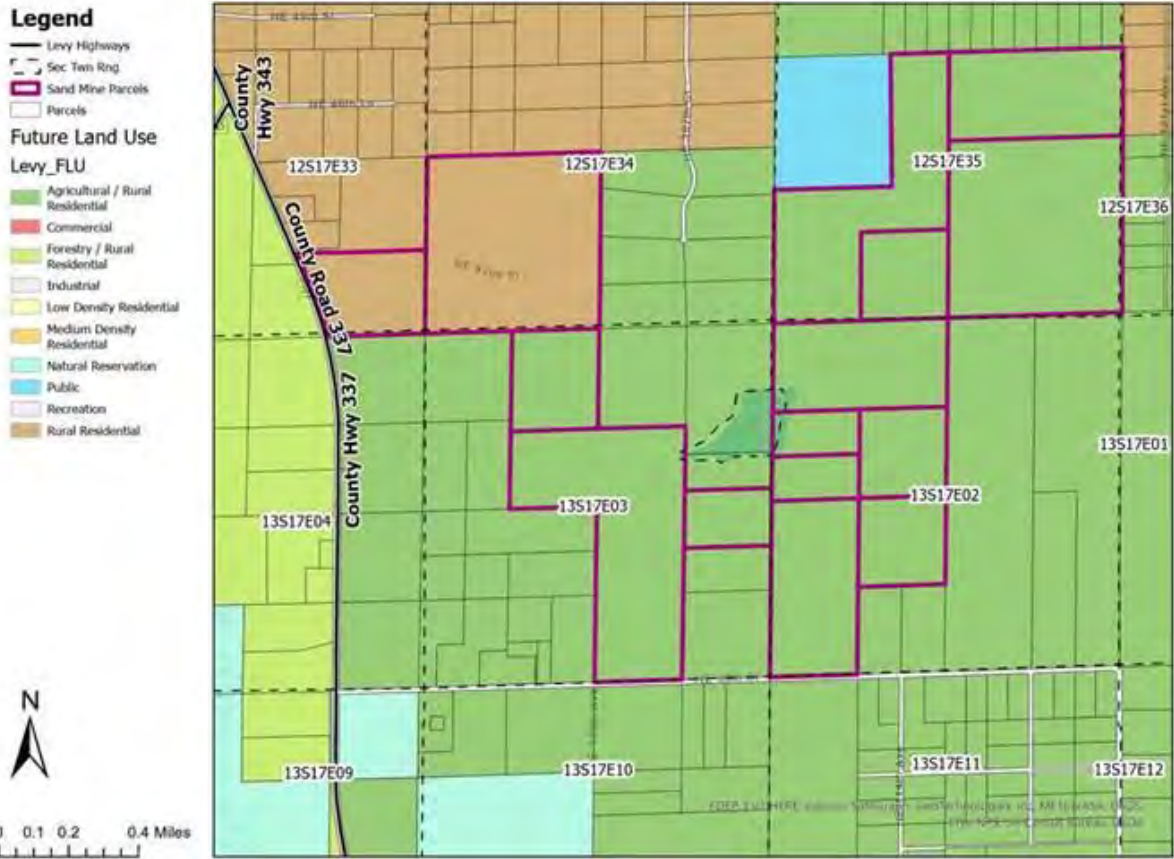
**Aerial Location Map 3RT Sand Mine (mine parcels)**



# Parcel Map 3RT Sand Mine (mine parcels)



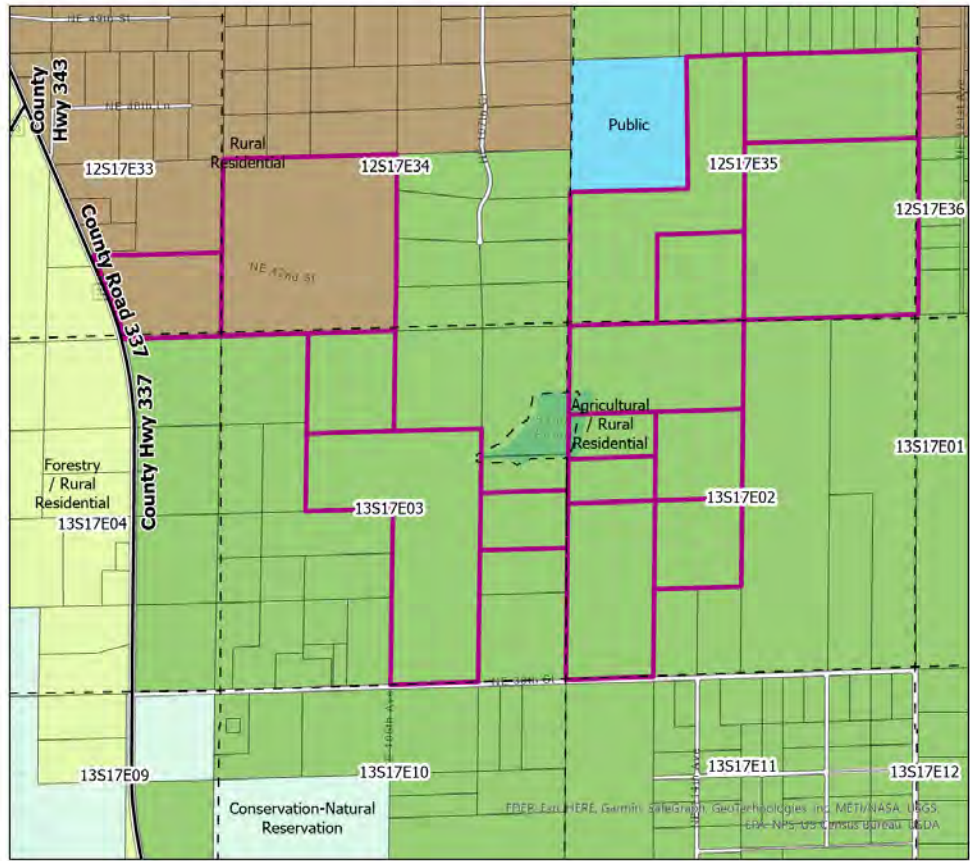
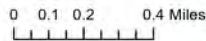
Future Land Use Map of Proposed 3RT Sand Mine Parcels, including those used for access.



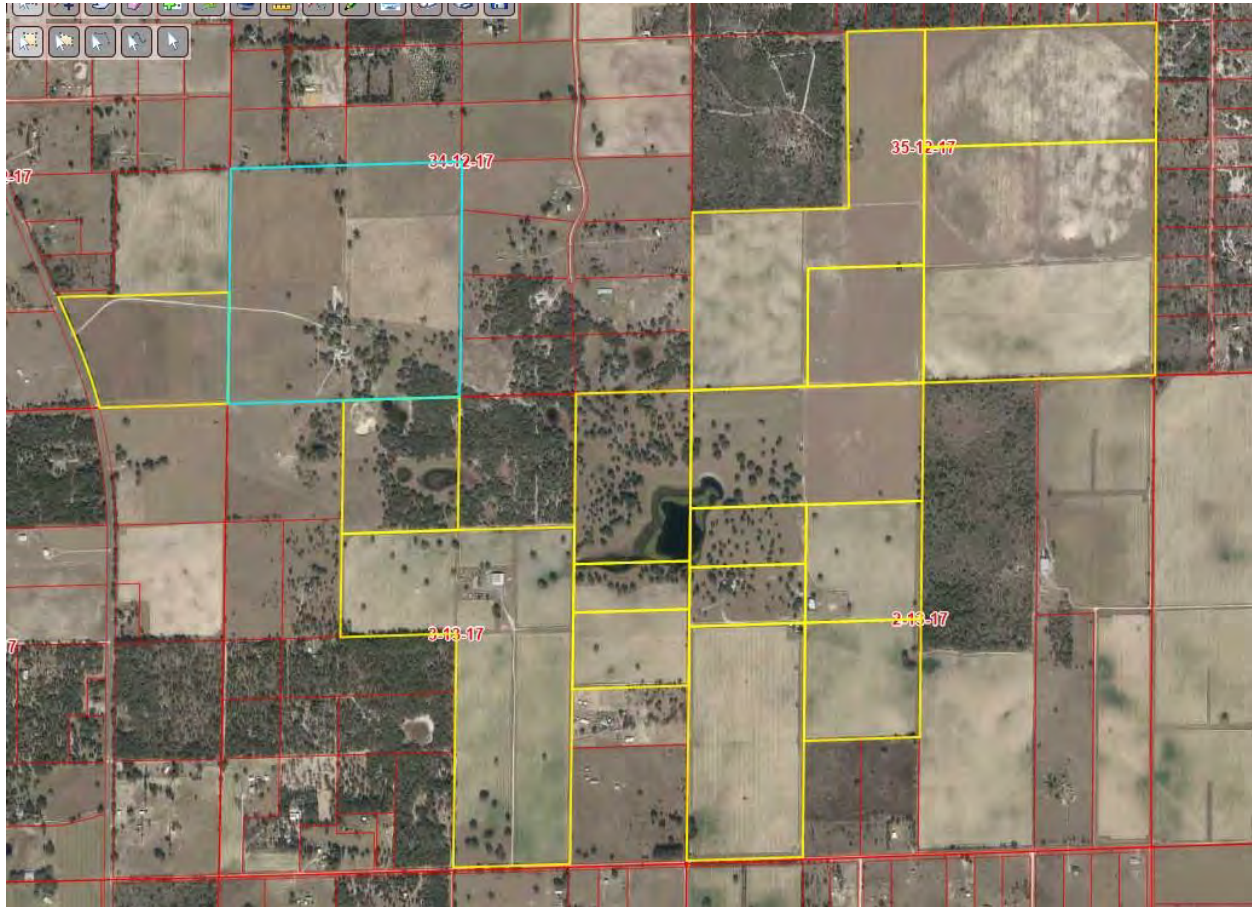
**Zoning Map of Proposed 3RT Sand Mine Parcels, including those used for access.**

**Legend**

- Levy Highways
- - - Sec Twn Rng
- ▭ Sand Mine Parcels
- ▭ Parcels
- Zoning**
- Zoning Category**
- Agricultural / Rural Residential
- C-1
- C-2
- C-3
- C-4
- Conservation-Natural Reservation
- Forestry / Rural Residential
- Industrial
- Muni, ROW
- Public
- R-1
- R-2
- RMU
- RR-3C
- Recreation
- Rural Residential



## Ingress/Egress map to CR 337



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### Code Section Review of Application:

The following are the code sections related to special exceptions. Staff has provided comments following each applicable code section marked in **bold**.

#### **DIVISION 5. STANDARDS AND REQUIREMENTS FOR SPECIAL EXCEPTIONS**

##### **Subdivision I. Special Exceptions in General**

##### **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. Sec. 50-676 of the Land Development Code is what enables an applicant to apply through Sec. 50-796. Applicant response in *italics*. Staff response in **bold**.

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 Levy County Comprehensive Plan.

**Mining is allowed as a special exception within A/RR and RR zoning.**

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

*The proposed use is remotely located and will be operated in accordance with the requirements of Chapter 50-719 of the Levy County Code in order to protect Public Health, Safety, Welfare and Convenience.*

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

*By incorporating the requirements of 50-719 of the Levy County Code into the design of the proposed use, the proposed use will not cause substantial injury to the value of the property (s) in the neighborhood where it is located and the land will return to the original use of Farm/Crop land upon completion.*

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.

*The proposed property is suitable for the proposed mining activity based upon the geotechnical evaluation performed on the property and based upon the location, shape, topography, and is similar in compatibility with neighboring properties that major mining activities are allowed as a Special Exception within District A/RR.*

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.

*The proposed project will incorporate a vegetative buffer consisting of the planting of sand pines spaced 6 feet apart in staggering rows 6 feet apart within a minimum 50 feet width of the provided 100 feet setback from the property lines and to provide a minimum 80% opacity while standing at the property lines.*

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.



*No off-street parking and loading are required for the proposed use and the Ingress/Egress to/from the property will be from a privately owned improved road therefore not causing congestion of vehicular or pedestrian traffic on abutting streets.*

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

*The proposed major mining use conforms with all applicable regulations governing the District A/RR.*

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.

*The proposed major mining use is consistent with the Levy County Comprehensive Plan, Land Development Code, and the application and use complies with the applicable requirements of Chapter 50-719 of the Levy County Code*

#### **Staff Review of Code Section 50-719 (c) and (d) Minimum criteria, standards and conditions**

(c) Minimum criteria, standards and conditions. When reviewing an application for special exception for a major mining operation, the planning commission shall not recommend approval of such application unless the application meets all of the applicable criteria, standards, conditions and requirements contained in all applicable sections in division 5, article XIII, of this chapter 50, and in this section. The board of county commissioners may grant a special exception application for a major mining operation, provided that such application complies with all applicable provisions and requirements of division 5, article XIII, of this chapter 50, and all applicable provisions of this section. A finding by the board of county commissioners that any of the criteria, standards, conditions or requirements in this section have not been adequately addressed to protect area residents, businesses and the health, safety and welfare of the community as a whole shall result in the denial of an application for a special exception for a major mining operation. In addition to any criteria, standards, conditions, and requirements contained in elsewhere in this division 5 of article XIII of this chapter 50, an application for a special exception for a major mining operation shall meet the following criteria, standards, conditions, and requirements:

- (1) The proposed mining operation complies with all the required regulations and standards of this chapter, including provisions of division 5 and of this section specifically, and all other applicable regulations.

**Staff has reviewed and the application meets the criteria.**

- (2) The proposed mining operation is serviced by roads of adequate capacity to accommodate the traffic volume and load impacts and not adversely impact surrounding uses; or the applicant

enters into an agreement with the county to make the necessary improvements to the impacted roads.

**The primary ingress/egress is required to be off of CR 337. The applicant is requesting additional access off of CR 103 and to HWY 27 ALT via a 30' easement. Staff would require a 60-foot easement with this kind of truck volume. So the easement access to HWY 27 ALT is not supported by staff. The southerly route is acceptable to County Engineer and Road Department, if provisions are made for the applicant to demonstrate acceptable strength of the roadway for the additional truck traffic and/or enters into an "agreement with the county to make necessary improvements" to sufficiently handle the roadway and to contribute to the maintenance of this roadway based on their proportionate fair share and that adequate connection is made at the connection to LCR 103.**

(3) Screening and buffering for the proposed mining operation, where necessary, is of such type, dimension and character to improve compatibility of the proposed mining operation with uses and structures of adjacent and nearby properties.

**Staff feels the plans as submitted and the description of the buffer and screening meet the intent of this code section.**

(4) The proposed mining operation is consistent with the comprehensive plan and conforms with the general plans of the county as embodied in the comprehensive plan.

**The type of use is consistent with the A/RR and RR land use and zoning designations as a special exception to the zoning.**

(5) The proposed mining operation will not adversely impact springs, rivers, tributaries, or water quality. The director of the county development department or the board of county commissioners may require that a licensed professional geologist, registered with the State of Florida, make this determination by using existing or new geological, hydro-geological, water quality or any other pertinent data. If required by the director of the county development department, the applicant shall supply the determination prior to the hearing on the application with the planning commission. If required by the board of county commissioners, the applicant shall supply the determination when directed by the board.

**Based on the reports submitted, and the distance from any of these natural resources, and without the South West Florida Water Management District or Florida Department of Environmental Protection finding any objections to this proposed sand mine, staff does not feel that these resources would be impacted negatively since this is a mine that will not be affecting the water table.**

(6) The proposed mining operation will not result in such noise, odor, dust, vibration, off-site glare, substantial traffic or degradation of road infrastructure so as to adversely impact surrounding development or cause hazardous traffic conditions.

**Beeping from the backing of the trucks could potentially be a noise issue.**

(7) The proposed mining operation will not adversely impact the recreational enjoyment of state, federal or county parks by the public.

**This mine would not negatively affect impact the parks in the county as it is not near any county, state or federal parks.**

(8) The proposed mining operation will not cause an adverse environmental impact to dumpsites, landfills or effluent ponds, or public water supply wellhead, as shown by an environmental impact study prepared by a firm or individual qualified by experience and any necessary licensing to prepare such study, which study shall be submitted by the applicant with the application. Such study may be included as part of a mining impact assessment report submitted by the applicant.

**Per the applicant's cover letter there will be no adverse environmental impacts to the above listed since it is not in the vicinity of the above listed.**

(9) The proposed mining operation is not located in a prohibited area, and meets all requirements regarding buffering, access, application, impact assessment report, documentation, setback, slope, and reclamation requirements, and any other requirements, all as contained in this section.

**The application, as submitted, and the text that accompanies it, demonstrates these requirements are met.**

(10) The proposed mining operation has obtained all other federal, state or local permits.

**The applicant has obtained an Environmental Resource Permit from the SWFWMD and has submitted a notice of intent to mine to FDEP. Note that the application package for the notice of intent to mine does not appear to have been provided in the Special Exception package.**

(11) The proposed mining operation will not be detrimental to the area residents or businesses, or the public health, safety or welfare of the community as a whole.

**As discussed above the proposed activity appear to be sufficiently separated from residential and business areas to not be detrimental to the public health, safety or welfare of the community as a whole.**

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(d) Specific criteria, standards, conditions and requirements for special exceptions for major mining operations. In order to meet the criteria, standards, conditions, and requirements for approval of an application for a major mining operations special exception, in addition to the minimum criteria, standards, and conditions provided above, the following provisions shall apply:

(1) Prohibited areas for major mining operations. The following are areas where major mining operations shall be prohibited:

- a) Site not located within required distance of abandoned dumpsites, landfills, or effluent ponds as identified by FDEP.**
- b) Site is not located within 1000 feet of a public water supply wellhead and no blasting is proposed.**
- c) Site is not located within one mile of a public water supply wellhead.**
- d) Site is not located within 2 miles of Manatee Springs or Fanning Springs State park.**
- e) Site is not located within one mile corridor (one-half mile on either side) of known geological features with the potential to Impact Manatee Springs or Fanning Springs. Additional study is not recommended to be required.**
- f) The site is not located within one-quarter mile of schools, hospitals, parks.**
- g) The site is not located within one-quarter mile of a platted and recorded subdivision with lot sizes of 5 acres or less. There are unrecorded subdivision with 5 acre lots adjacent to the east boundary of the site. The applicant is proposing a 100 foot buffer with a minimum 50 vegetative area. A berm is also proposed in some areas to provide additional screening.**

(2) Buffering standards. When required by the board of county commissioners for any major mining operation, the following buffer standards shall apply:

- a) Applicant is proposing a 100 foot buffer round the total mine area. This is shown on the plans and described in the DNM cover letter. Note that the plans do not specify or detail the makeup of the buffer.**
- b) Applicant is proposing a 100 foot buffer. This is shown on the plans and described in the DNM cover letter. Note that the plans do not specify or detail the makeup of the buffer.**
- c) The applicant in the DNM cover letter proposes a 50 feet area within the 100 foot buffer be in planted with 3 rows spaced at 8 feet of sand pines spaced at 6 feet with a stagger. Additionally the DNM cover letter describes a berm to provide additional screening to meet the 80% opacity requirement. Specifications nor detail of the buffer or berm appear to be provided in the plans.**
- d) The proposed buffer described in the DNM cover letter appears to provide the required buffer described in the code, however this information does not appear to be provide in the plans.**
- e) An 8-foot high earthen berm is described in DNM cover letter with slopes not exceeding 1V:1H. The plans appear to show the berm or provide details as to where or how to construct it. No indication of method of stabilizing the berm is provided in the letter or in the plans. Sufficient topography is not provided in the plans to**

**determine if a berm would be detrimental to offsite properties by not allowing runoff to continue into the mine area.**

3. Access Requirements.
  - a. **The proposed route to C-337 provides access to a road classified as “Major Collector-Rural”. The southern alternate route to LCR 103 does not provide direct access to a road with a minimum classification of major collector or arterial road as it is classified as a “Local” road. The northern alternate route does provide access to US 27 Alt classified as a “Principal Arterial” which exceeds the criteria.**
  - b. **The proposed route to C-337 provides ingress and egress onto a paved county road. The alternate routes also provide access onto paved county or state roads. However the classification of LCR 103 for the southern alternate does not meet the requirement to be a minimum classification of major collector.**
  - c. **The proposed access to C-337 is not through a platted recorded or unrecorded subdivision. The northern alternate route appears to go through unrecorded subdivisions and is adjacent to a recorded subdivision. The southern alternate does not appear to go through platted recorded or unrecorded subdivisions.**
  - d. **The applicant provided traffic information to demonstrate that the proposed activity will not be detrimental to C-337. The proposed haul route to C-337 is within the “family” property of the applicant. The northern alternate route would require travel through private property. No assurances have been provided that the northern route would not damage the private property.**
4. Setback Requirements
  - a. **The proposed activities are not within 100 feet of any road right-of-way boundary.**
  - b. **A 100 foot buffer is proposed along the entire perimeter of the mine area, therefor the requirement to be 50 feet away from undeveloped lot and 100 feet from a developed lot is met.**
5. Slope requirements. **The proposed side slopes of the sand mine excavation are proposed at a maximum of 1V:3H.**
6. Reclamation plan. **The DNM cover letter indicates that a notice of intent to mine was submitted to FDEP. The contents of this notice do not appear to have been submitted with the Special Exception application. No reclamation plan appears to be provided in the application other than grading the side slopes to no steeper than 1V:3H and a brief mention in the “fill activities” section of the Mining Impact Assessment Report which indicates that “clean fill may be used to reclaim the subject property back to the original agricultural use and existing grade.”**

7. Mining impact assessment report. All applications for proposed major mining operations that will include blasting or the processing of raw material shall present a mining impact assessment report prepared by a professional environmental consulting, planning or engineering firm addressing subsections a. through d. below. The assessment report shall identify impacts to reflect all individual and cumulative impacts resulting from phasing of the proposed mining operations or activities.

**Mining Impact Assessment Report. The DNM cover letter provides responses to the required items.**

- a. Compatibility. Blasting is not proposed. A 100 foot buffer is proposed to mitigate sound and vibration transmission to offsite area. The proposed activity is not expected to cause vibration beyond the proposed buffers. The equipment utilized for loading and the trucks area typically equipped with back-up alarms which may be heard beyond the proposed buffers especially when operated near the perimeter of the mine. The ERP report submitted indicates no issues with environmental resources. There does not appear to be any cultural or historical resources in the area of concern.**
  - b. Transportation System. A traffic study was submitted by Kittelson & Associates and Pavement Analysis for C-337 by Geo-Tech, Inc. as discussed in IIC2 above.**
  - c. Water Pumping Activities. Water pumping activities do not appear to be proposed or required for the facility. It is noted that there are two existing wells within the proposed excavation area. It appears that a 100 foot buffer will be provided around these wells.**
  - d. Fill Activities. The DNM cover letter indicates that they “will only utilize clean fill material to reclaim the subject property to the original agricultural use and existing grade.” No specific fill activities are indicated in the plans. Any plans for filling should be provided for review and approval.**
- 8. Documentation/Application. The applicant has provided the following documents:**
- a. DNM cover letter to Levy County Planning & Zoning date May 24, 2023 which includes brief description of the project and provides narrative to the items required by Section 50-719 Subdivision II (c) and (d). This includes a section entitled “Mining Impact Assessment Report.”**
  - b. Environmental Resource Permit Application for 3RT Sand Mine dated March 2023 prepared by DNM Engineering & Associates, Inc.**
  - c. Environmental Resource Permit Plans for 3RT Sand Mine dated 3/1/2023 by DNM Engineering & Associates, Inc.**
  - d. SWFMWD ERP permit 43046299.000 issued 12/22/2022**
  - e. Boundary survey by Rogers Engineering, LLC date 2/28/2023**

- f. **Pavement Analysis dated 4/21/2023 prepared by Geo-Tech, Inc.**
- g. **Traffic Impact Statement dated 4/17/2023 prepared by Kittleson & Associates**
- h. **Ingress/Egress Map dated 5/4/2023 prepared by DNM Engineering & Associates, Inc.**
- i. **Property Appraisers Aerial Overlay dated 2/28/2023 prepared by DNM Engineering & Associates, Inc.**
- j. **Photograph array of mine property**
- k. **Special Exception Application**

(9) Application fee. An application for a special exception for a major mining operation shall be accompanied by the applicable fee set out in the fee schedule maintained by the county development department. The application fee is non refundable, whether the application is ultimately approved or denied.

**The application fee and fee for mailing additional letters for the 2-mile radius were paid at the time of submittal.**

10. Excavation and Fill permit

- b. Required for major mining operation
- c. Application Requirements.
  - i. Boundary Survey was provided for the mine area. A boundary for the property containing the haul route was not provided.
  - ii. Site Plan was provided as Sheet SM2. The site plan provides the required information with the exception of distances of buildings to property lines and distances to existing offsite structures.
  - iii. A sheet with the proposed hauling route was provided.
  - iv. A description of the proposed work was provided in the DNM letter. The expected duration of the activity does not appear to have been provided.
  - v. The proposed activity is not within an environmentally sensitive area. A copy of the SWFWMD ERP permit was provided.
  - vi. The project is not located within the 100-year flood plain of the Suwannee River.
  - vii. The project does not appear to be creating a pond. The proposed excavation depth is indicated to be 3 feet above the estimated seasonal high water table established in the geotechnical report provided in the ERP application.
  - viii. The project is not within an existing body of water.
  - ix. The project is not near any stormwater system currently maintained by a public or private entity.
  - x. A berm is mentioned in the DNM letter within the 100 foot buffer. The berm is not shown or detailed in the plans provided. It is not apparent if such a berm would affect the natural flow or drainage patten of surface water into the site from offsite areas.
  - xi. Application Fee. Defer to the Development Department.
- d. Permit Review and approval process

- i. Hauling Requirements.
    - a. Does not appear to be applicable to a mine.
    - b. Does not appear to be applicable to a mine.
    - c. Does not appear to be applicable to a mine.
    - d. Include in the permit or Special Exception order.
  - ii. The maximum excavation depth is proposed to be 3 feet above the estimated seasonal high water table as established in the geotechnical report provided in the ERP application.
  - iii. No blasting is proposed.
  - iv. No excavation is proposed within 100 feet of the right-of-way of a public road, nor 50 feet of a property line or a private easement.
  - v. The proposed side slopes of the excavation are indicated to be 1V:3H maximum
  - vi. This review serves as the County Engineers review of the Excavation and Fill permit application and the Special Exception permit application.
  - vii. The County Engineer finds that the 3RT Sand Mine is not expected to be detrimental to the health, safety or general welfare of the adjacent properties or the community, with the following stipulations:
    - a. Any berm constructed along the perimeter be design and constructed to permit runoff from offsite areas which historically flowed into the mine property to continue to do so.
    - b. Buffers as described in the DNM letter are implemented around the perimeter of the mining area.
    - c. Should offsite areas adjacent to the proposed haul route be adversely affected, the haul route will be adjusted to eliminate the adverse condition.
    - d. Should any groundwater become apparent in the excavation area, the area will be backfilled to a level 3 feet above the water level.
    - e. Existing wells within the mine area will either be properly abandoned or a minimum 100 foot radius buffer will be maintained around the well.
    - f. Once final grades are reached by the excavation, the area will be reclaimed by restoring vegetation to the area within 3 months.
    - g. A berm, excavation or other method shall be implemented where runoff from the excavation area may leave the site.
    - h. Areas within the proposed mine area, which are not currently being mined shall remain either as pasture or cropped in accordance with established Best Management Practices.
  - viii. Include language in the permit.
  - ix. The SWFWMD permit has been obtained and provided.  
Acknowledgement and approval of the FDEP notice of intent to mine shall be provided prior to issuance of permit.
- e. Operation of permit
- i. Posting permit at site. Include language in permit.
  - ii. Duration. Duration of the permit needs to be established. A sunset provision needs to be provided. Can a permit be for each mining block? So that they have to get a new permit for each mining block so that we can review what they have done?



- iii. Inspections. Include language in permit. Annual inspection? Code language doesn't appear to anticipate an ongoing mine project.
- iv. Forfeiture. Include language in permit.

**An Excavation and Fill permit application was submitted in conjunction with the Special Exception application. The Excavation and Fill permit has been reviewed by the County Engineer. A copy of his review is attached and has been incorporated into the staff comments herein for the special exception.**

(9) Application fee. An application for a special exception for a major mining operation shall be accompanied by the applicable fee set out in the fee schedule maintained by the county development department. The application fee is non refundable, whether the application is ultimately approved or denied.

**The application fee and additional cost of mailing was provided at the time of submittal.**

(10) Excavation and fill permit application included. An application for a special exception for a major mining operation shall be accompanied by an application for an excavation and fill permit which meets all the requirements for such permit as provided in this section.

**An excavation and fill permit application has been submitted.**

(11) Public notice requirement. In addition to any other notice requirements for a special exception contained within [division 5](#) of article XIII [sic article II], the extent of the notice required to be provided to surrounding property owners for an application for a special exception for a major mining operation shall be extended from 300 feet to two miles in the event that the proposed major mining operation includes blasting or 50 or more one way truck trips per day. The additional cost incurred by providing notice beyond 300 feet shall be calculated and paid for by the applicant prior to the public hearing on the special exception to be held before the planning commission.

**Because of the number of daily trips this sand mine required the two-mile radius mailing requirement. Approximately 2,800 notices were mailed on April 14, 2023.**

(12) Duration of approval; amendment of approval. Any special exception approval granted for a major mining operation pursuant to the provisions hereof shall be valid for a period specified for completion of all operations, including necessary reclamation as set forth in the approved mining and reclamation plan. The board of county commissioners, as it determines necessary to protect the public interest, may require such changes in the duration of a special exception approval as conditions warrant. The applicant or subsequent owner or operator of an approved major mining operation may also, on any anniversary date of the approval of the special exception, seek an amendment of the special exception conditions in order to vary or expand the scope of the major mining operation by filing an application for amendment to the original special exception. Any such amendment to the original special exception conditions shall meet all requirements and be processed as an original application.

**These details will be determined in the Special Exception Orders after petitions are heard.**

(13) Transfer of special exception. Notwithstanding any other provision in this section to the contrary, a special exception approval for a major mining operation shall be issued only in the name of the applicant and may be transferred only when the interest of the applicant in the lands that are the subject of the special exception are transferred. Prior to such transfer, the applicant and the prospective transferee must apply to, and receive approval from, the board of county commissioners for an amendment to the special exception application submitted to the county development department. All financial liability and permit filing obligations shall be transferred at the time the interest in said lands is conducted.

**These details will be determined in the Special Exception Orders after petitions are heard.**

(14) Liability for major mining operations. The applicant or operator of any major mining operation that receives special exception approval pursuant to the provisions of this section shall have absolute liability and financial responsibility for any damages to public or private property, human, animal or plant life, or any mineral or water-bearing geologic formations incurred due to mining operations, failure of any dam, spillway or outlet structure of a settling or thickening pond, or failure to properly reclaim mined lands. At or prior to the time of issuance or transfer of the excavation and fill permit for the applicable major mining operation, in order to protect the interests of the board of county commissioners and the public, the applicant shall post with the board the following bonds or other surety in a form approved by the board of county commissioners:

a. For each acre of land designated to be mined, the amount of \$2,000.00 as a reclamation performance bond; and

b. For each acre foot of storage to be contained in a slime, retention or thickening pond in and above grade, the amount of \$1,000.00. This bond shall remain in effect for as long as unconsolidated slime remains in the pond.

**The required bond set forth in a. will be required as part of the Special Exception Order. The bond in b. is not required for this project as proposed in the application.**

(15) Annual report and inspection. As a condition of approval of a special exception for a major mining operation, the applicant or operator of such major mining operation shall provide an annual report to the county development department for review by the county engineer documenting compliance with the special exception and excavation and fill permit requirements for the major mining operation. The county engineer shall make an onsite inspection to the major mining operation to assure compliance with the special exception, the excavation and fill permit and any report submitted by the applicant or operator.

**These details will be determined in the Special Exception Orders after petitions are heard.**

(16) Forfeiture. Upon a finding of noncompliance with this section, or any special exception condition for a major mining operation, or any approved site plan for the major mining operation or reclamation, the building official shall notify the applicant or operator of the major mining operation in writing of noncompliance and the pending forfeiture of the permit. The applicant or operator shall have 30 days to respond. If compliance is not accomplished within such 30-day period, the major mining operation shall cease and the special exception shall be revoked.

Regardless of revocation or compliance with any special exception condition, the applicant shall repair, perform reclamation, or perform any other activity at the major mining operation site that the building official or county engineer deems is necessary in the interest of the public health, safety or welfare.

**These details will be determined in the Special Exception Orders after petitions are heard.**

a. Appeal. Any appeal of a noncompliance finding issued in accordance with this subsection shall be submitted to the county development department and the office of the board of county commissioners within 15 days of the date of such noncompliance finding. Such appeal shall be heard by the board of county commissioners at a noticed public hearing. No appeal filed later than 15 days after the date of such notice shall be acted upon by the board of county commissioners.

**This will be incorporated into the Special Exception Orders if approved.**

### **Staff Recommendations:**

Should the Planning Commission, and subsequently, the Board of County Commissioners upon review and recommendation of the Planning Commission, find the requested “Special Exception Use” consistent with the Comprehensive Land Use Plan and Land Development Code, staff recommends the following conditions be attached to the approval of the Special Exception Use Permit:

#### **Conditions of Approval for SE 23-01 3RT Sand Mine**

1. The applicant shall shield lighting so as not to be a nuisance to residential neighbors.
2. All applicable permits from the various state agencies be filed for and obtained before mining can commence. The state permits may need to be revised with the new ingress/egress route.
3. All development provisions in the Levy County Land Development Code will be met before pre-development begins.
4. The applicant will get the proper ingress/egress permits from the Levy County Road Department for all allowed access points.
5. The applicant shall pay all applicable impact fees associated with this use prior to commencing operation.
6. Buffer description and details will need to be incorporated on the construction plans.
7. Other conditions as assigned by the Planning Commission and the Board of County Commissioners based on public participation.

**To include: DNM cover letter and Levy County Engineer staff review.**



P.O. Box 42  
Ocala, Florida 34478  
Office: 352.624.2068  
Fax: 352.622.6643

[dnmengineering@embarqmail.com](mailto:dnmengineering@embarqmail.com)

May 24, 2023

Levy County Planning & Zoning  
320 Mongo Street  
Bronson, Florida 32621

**Re: 3RT Sand Mine  
Special Exception Application  
Levy County Parcel I.D. Nos.: 0359701600, 0359700400, 0359700000, & 0359700300  
Section 35, Township 12 South, Range 17 East  
11151 Northeast 35<sup>th</sup> Street  
Bronson, Levy County, Florida**

Dear Planning & Zoning,

Please find enclosed for review the Special Exception and Excavation & Fill Permit Applications for the above described properties located in Bronson, Levy County, Florida to be utilized for major mining, excavation and fill activity or operations where more than 10,000 cubic yards of earth (sand & clayey sands) will be excavated or removed from or deposited on a tract or parcel greater than 20 acres. Major Mining, Excavation and Fill Activity Operations is currently listed as a Special Exception Use within Land Use/Zoning District A/RR.

The current Land Use and Zoning of the subject properties are A/RR (Agriculture/Rural Residential) and have historically been utilized for farming and crops. Ryan B. Thomas, property owner, is proposing to permit the subject property as the 3RT Sand Mine to be able to excavate the sand from the subject property to be sold to independent contractors to be utilized for fill material for construction of new road/highway construction, road/highway improvements, single family residences, residential developments, commercial developments, industrial developments, concrete foundation, concrete production, horse track developments, equestrian facilities, etc. throughout Levy and other neighboring counties. The proposed number of daily one way trips from the subject properties is 75+/- with approximately 1,400+/- cubic yards of sand material to be excavated per day.

The subject properties are currently surrounded by an Agricultural Experiment Station (Rosemary Hill Observatory) on 78.81 +/- acres of land to the North/West of the subject properties and Zoned A/RR; a 50.0+/- acre parcel of land with a single family residence located to the Northwest of the subject properties and Zoned A/RR; eleven (11) 10+/- acre parcels of primarily vacant parcels land currently

Zoned RR with two of the parcels occupied by a single family mobile home residence to the North of the subject properties; ten (10) 5.0+/- or 10.0+/- acre of primarily vacant parcels of land currently zoned RR with on three of the parcels occupied by single family mobile home residences and one parcel occupied by a single family residence to the Northeast/East of the subject property; five (5) large tract parcels of land currently Zoned A/RR and utilized for Agriculture Farming/Crop land to the Southeast/South/Southwest of the subject properties; and four (4) 20.0+/- acre parcels of primarily vacant parcels of land currently Zoned RR with one parcel occupied by a single family mobile home residence to the West/Northwest of the subject properties.

The main Ingress/Egress to the subject properties will be provided by an improved driveway connection located at the intersection of County Road 337 and N.E. 42<sup>nd</sup> Street with the travel route traversing along existing dirt roads through properties currently owned by either Lee A. Thomas and Ryan Thomas. County Road 337 currently has the capacity and is structurally stable to handle the increased traffic from the proposed project. However, two (2) additional alternate routes may be utilized if determined feasible by the Board of County Commissioners with one route utilizing an existing improved private road owned by Ryan B. Thomas and accessing Northeast 30<sup>th</sup> Street (public road) located to the South of the subject properties and the other route utilizing a 30 feet easement located at the Northeast corner of the property and traversing approximately 1.2+/- miles north to U.S. Highway 27. The proposed hours of operation of the sand mine will be between the hours of 7:00 am to 6:00 pm Monday thru Saturday. All excavation on the subject property will be removed mechanically with no blasting proposed.

The major mining, excavation and fill activity or operations proposed for the subject property will be compatible with the adjoining properties by complying with all requirements and standards for approval set forth in Chapter 50, Article XIII, Division 5, and Subdivision I and Subdivision II, Levy County Code and the location, proposed ingress/egress, and design of the proposed 3RT Sand Mine will meet the following minimum and specific criteria, standards, conditions, and requirements for special exceptions for major mining operations as listed in Section 50-719, Subdivision II (c) & (d):

**(c) Minimum Criteria, Standards, and Conditions:**

- 1) The proposed mining operation does comply with all required regulations and standards of this chapter, as applicable, including provisions of Division 5, Article XIII and this section specifically, and all other regulations;
- 2) The proposed mining operation will be serviced by County Road (CR) 337 which has been determined by a traffic study and traffic impact analysis to have adequate capacity to

accommodate the increased traffic volume and load impacts and will not adversely impact any surrounding uses;

- 3) The proposed mining operation will incorporate a 100 foot setback along the entire perimeter of the subject properties where 50 feet of the 100 foot setback will be improved with a vegetative buffer and an 8 feet high earthen berm to provide the required screening and buffering from uses and structures of adjacent and nearby properties;
- 4) The proposed mining operation is consistent with the Comprehensive Plan as this type of operation is currently listed as a special exception use within the Land Use/Zoning District "A/RR;"
- 5) The proposed mining operation will not adversely impact springs, rivers, tributaries, or water quality as the proposed mining operation is located more than 5.3+/- miles from Blue Grotto Springs, 6+/- miles from Devils Den Prehistoric Springs, 7.5+/- miles from Blue Springs State Park, 25+/- miles from Fanning Springs, 23+/- miles from Manatee Springs, and 20+/- miles from the Suwannee River. In addition, the proposed mining operation is located more than 100 feet from any private water wells and more than 1000 feet from any public supply wells;
- 6) The proposed mining operation will not result in such noise, odor, dust, vibration,, off-site glare, substantial traffic or degradation of road infrastructure that will adversely impact surrounding development or cause hazardous traffic conditions due to the proposed screening/buffering to be provided around the entire perimeter of the mining operation to protect rural residential lots located to the North/Northeast/East/West of the subject properties, the existing agricultural lands/operations to the Southeast/South of the subject properties, and the Rosemary Hill Observatory to the North/West of the subject properties;
- 7) The proposed mining operation will not adversely impact recreational enjoyment of State, Federal, of County Parks by the public as the subject property is not located near any State and Federal Lands accessible to the Public and more than 4+/- miles from County Parks accessible by the public;
- 8) The proposed mining operation will not cause an adverse environmental impact to any dumpsites, landfills, effluent ponds, or public supply wellheads as there are currently no dumpsites, landfills, effluent ponds, or public supply wellheads located within 1000 feet radius of the subject property;

- 9) The proposed mining operation is not located in a prohibited areas and meets all requirements regarding buffering, access, application, impact assessment, documentation, setback slope, reclamation requirements, and any other requirements, all as contained in the section;
- 10) The proposed mining operation has obtained an Environmental Resource Permit from the Southwest Florida Water Management District (SWFWMD) (ERP Permit No.: 43046299.000 issued 12/22/2022) and has submitted the required “Notice of Intent to Mine or Mining Other Resources” to the Florida Department of Environmental Protection (FDEP) on 4/11/2023 and are currently awaiting for FDEP to request any additional information or final approval;
- 11) The proposed mining operation will not be detrimental to the area residents or businesses, or public health, safety, welfare of the community as a whole due to the subject property’s location, proposed screening/buffering being provided from neighboring properties, and traffic impact and load impact being similar in nature to the subject property’s existing agricultural operations;

**(d) Specific Criteria, Standards, Conditions and Requirements for Special Exceptions for Major Mining Operations:**

1) Prohibited Areas For Major Mining Operations

- a) The proposed mining operation is located more than 500 feet from any abandoned dumpsites, landfills, or effluent ponds as identified by the FDEP. The proposed mining operation will not be performing any blasting as part of the operation;
- b) The proposed mining operation is located more than 1000 feet from any public water wellheads of 100,000 GPD or greater (5+/- miles from the Town of Bronson Water Treatment Facility);
- c) The proposed mining operation is located more than 1 mile from any public water supply wellhead of 100,000 GPD or greater, however, no blasting is proposed to be performed as part of the mining operation;
- d) The proposed mining operation is located 23+/- miles from Manatee Springs and 24+/- miles from the Fanning Springs State Park Boundaries;
- e) The proposed mining operation is located 20+/- miles of known streams, conduits, lineaments, fractures, or matrix flow paths with the potential to impact Manatee Springs or Fanning Springs, more than 100 feet from any private supply



wells, and more than 1000 feet from any public supply wells which may directly or indirectly result in the occurrence of one or more of the following:

- i) The deterioration of water quality of adjacent private or public supply wells, or reduction of their water level.
- ii) The deterioration of water quality of flow of Manatee Springs or Fanning Springs.
- f) The proposed mining operation is located more than one-quarter mile (1,320+/- feet) from any schools, hospitals, county, state, or federal parks;
- g) The proposed mining operation is located more than one-quarter mile (1,320+/- feet) from a platted and recorded subdivision with lot sizes of five acres or less that include constructed streets and developed parcels. The subject property is located approximately 2,640+/- feet from the Black Jack Ridge Estates Subdivision to the Northwest of the subject property and approximately 1,338+/- feet to the Sunny Highlands Subdivision located to the North/Northwest of the subject property. The distance can be reduced to 660 feet to the platted subdivisions since buffering is provided and if approved by the Levy County BOCC;

2) Buffering Standards:

- a) Length: The proposed mining operation will incorporate a buffer along the entire perimeter of the subject property (18,500+/- linear feet) as to shield mining activity from incompatible land uses.
- b) Depth: The proposed mining operation will provide a minimum of 100 feet depth buffer setback measured perpendicularly from the subject property's property boundary;
- c) Opacity: The proposed mining operation will provide a vegetative buffer consisting of three (3) rows of native sand pine trees spaced six (6) feet apart and staggered rows spaced eight (8) feet apart. In addition, it is proposed to utilize overburden material and excavated sand to create an 8+/- feet high earthen berm with 1:1 side slopes to provide the required 80% opacity standard;



d) Makeup: The proposed buffer will consist of a vegetated screen augmented by a berm to obtain opacity.


- i) with the proposed earthen berm, the outer 50 feet of the buffer will consist of a vegetated buffer.
- ii) Existing trees, which is minimal, located within the vegetative screen will remain in place.
- iii) Since sufficient vegetation does not exist, the proposed vegetative screen will be planted with sand pine trees native to the area and compatible with the area soils.

e) Berms:

- i) The proposed earthen berm will run parallel to, and no closer than 50 feet from the property line.
- ii) The proposed earthen berm will be constructed to a height of 8 feet above natural surface of the ground to shield mining activity from the property lines so that it cannot be viewed through the buffer from adjoining properties when viewed from the property line. The proposed earthen berm will undulate along the perimeter of the subject property while still providing the shielding from view of the adjoining properties from the property line.
- iii) The proposed earthen berm will be stabilized with the planting of a vegetation cover and slopes will not exceed 1:1 vertical to horizontal.

### 3) Access Requirements:

- a) & b) The proposed mining operation is located within an area that has direct ingress/egress access to a major collector road (CR 337) to the west of the subject properties. However, two alternate routes accessing N.E. 30<sup>th</sup> Street to the South and a 30 feet easement accessing U.S. Highway 27 to the North could be utilized as ingress/egress routes if approved by the Planning Commission and Levy County BOCC.
- c) The proposed access and truck routes to and from the site do not traverse through platted recorded and unrecorded residential subdivisions.

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- d) Hauling Requirements: The traffic study prepared by Kittelson & Associates and Pavement Analysis prepared by Geo-Tech, Inc. supports that the proposed mining operation will not damage public nor private property due to the hauling of material and that hazardous traffic conditions will not be created since the special exception use is similar in nature to the existing agricultural operation. Hauling trucks utilizing public roads will be covered in a manner to prevent spillage and consistent with the Florida Department of Highway Safety and Motor Vehicles Standards and all hauling vehicles shall display the hauling company (or truck owner's name if privately owned) on the sides of the vehicle;

4) Setback Requirements:

- a) The proposed mining operation is located more than 100 feet from any road right-of-way boundary;
- b) The proposed mining operation excavation activities will occur at least 100 feet from any adjoining undeveloped lot or parcel and from any residentially developed lot or parcel boundary.

5) Slope Requirements:

The proposed mining operation of dormant sand and clay will provide a side slope not steeper than one foot rise for each three feet horizontal measurement (3:1 slopes).

6) Reclamation Plan:

The owner of the proposed mining operation has submitted the required "Notice of Intent to Mine or Mining Other Resources" application to the FDEP on 4/11/2023 and are currently awaiting the FDEP to request any additional information or issue an approval.

7) Mining Impact Assessment Report:

- a) Compatibility: The proposed mining operation will not perform any blasting to remove sand/clay materials.

b) Transportation System:

The traffic study prepared by Kittelson & Associates and Pavement Analysis prepared by Geo-Tech, Inc. supports that the proposed mining operation will not damage public nor private property due to the hauling of material and that hazardous traffic conditions will not be created since the special exception use is

similar in nature to the existing agricultural operation. Hauling trucks utilizing public roads will be covered in a manner to prevent spillage and consistent with the Florida Department of Highway Safety and Motor Vehicles Standards and all hauling vehicles shall display the hauling company (or truck owner's name if privately owned) on the sides of the vehicle;

c) Water Pumping Activities:

The proposed mining operation will not be utilizing any water pumping activities at this time.

d) Fill Activities:

The proposed mining operation will only utilize clean fill material to reclaim the subject properties back to the original agricultural use and existing grade.

If you have any questions or require any additional information, please feel free to contact our office.

Sincerely,

*Douglas VanDeursen*

Douglas A. VanDeursen, P.E.  
President



LEVY COUNTY BOARD OF COUNTY COMMISSIONERS      COMMISSIONERS  
Government Serving Citizens

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Matt Brooks

OFFICE OF COUNTY ENGINEER  
D. ANDREW CARSWELL, PE, PSM

REVIEW 3RT SAND MINE:

Section 50-719 Mining and Excavation...

- I. A special exception approval is required.
  - a. Proposed activity is classified as Major Mining as it proposes to remove more than 10,000 cy of material from a parcel greater than 20 acres.  
Requires compliance with 50-719 and applicable section of Chapter 50, Division 5, Article XIII [sic ]prior to commencement of operations.  
Requires a Excavation and fill permit prior to operations.
  - b. This site is not an vested or approved existing mining operation
  - c. Exemptions. Proposed activity does not appear to meet the criteria for any of the listed exemptions.
- II. Special Exception for major mining criteria, standards and conditions:
  - a. Special Exception approval required by being a mining or excavation activity
  - b. The proposed project does not appear to meet the exemption requirements
  - c. Minimum criteria
    1. Must meet requirements of 50-719 and Division 5
    2. The access for the proposed activity is shown to be through "family" land from the mining area to County Road C-337. County Road C-337 is classified as "Major Collector-Rural" on the FDOT Functional Classification Map. The applicant has submitted a "Pavement Analysis" for C-337 which indicates the roadway has sufficient strength to accommodate the additional truck traffic based on 75 one-way trips and that the increase in traffic is minimal. The applicant also submitted a "Traffic Impact Statement, Roadway Capacity" which found that the roadway has adequate volume capacity to handle the additional traffic.

While the project traffic volume is low relative to the background traffic on C-337, the project truck traffic is a significant portion of the Equivalent 18K Axle Loads (ESAL). Using background traffic information from FDOT Open Data Hub Truck Volume TDA website, the proposed additional truck traffic represents approximately 50 to 60 percent of the total projected ESALs on C-337. This has the effect of decreasing the expected life of the roadway by 50 to 60 percent.

Based on the information submitted by the applicant, the roadway volume capacity would not be diminished below Level of Service C (the Comprehensive Plan required level of service).

Sight distances at the connection to C-337 were not addressed in the report. There is an existing driveway for the property at this location.

The proposed main route from the mine area to C-337 meanders around the edges of and through the interior of the applicant's "family" property. At parcel 036060020A, the route is adjacent to the north boundary of this parcel where the main building on the site is approximately 300 feet south of the route boundary. Parcel 0360500700 has a structure approximately 700 feet west of the route boundary. Parcel 0360600100 has a structure approximately 650 feet from the route. Parcels 0359200100 and 035900060A are north of the route where it comes out to C-337, however there does not appear to be any structures on these parcels. The route also appears to be located near a house described as the life estate of Janet Dean which is interior to the applicant's property. This house appears to be served an easement to C-337 which will be utilized by the mine traffic. With the exception of the Dean house, the other properties appear to be located sufficiently away from the route so as to not adversely impact them. If these areas are deemed an issue (noise, dust, vibration, etc.), then vegetative buffer or additional separation could be implemented.

It is noted that the application also has offered alternative routes from the mine to other existing roadways. The southern alternate proposes to route mine traffic through the applicant's property south to County Road LCR 103. The northern route proposed to route mine traffic through private ownership to US 27 Alt using an existing 30 foot easement.

The southern route will mentioned was not analyzed in the applicant's submittal. It would access a LCR 103, county road classified as "local". It is a paved road which would take traffic to C-337. The strength of the roadway is not known. This route provides a more direct route from the mine to public right-of-way. This route may be acceptable to County Engineer and Road Department, if provisions are made for the applicant to demonstrate acceptable strength of the roadway for the additional truck traffic and/or enters into an "agreement with the county to make necessary improvements" to sufficiently handle the roadway and to contribute to the maintenance of this roadway based on their proportionate fair share and that adequate connection is made at the connection to LCR 103.

The northern alternate proposes to route mine traffic through an existing 30-foot easement to US Highway 27A easterly of Levy County Road 102. While this route would avoid use of any county roadways, it has several downsides. The first downside is that it is only a 30 foot wide easement that traverses adjacent to a residential subdivision with 1 to 5 acre lots. At this width, there would not appear to be adequate room to develop a roadway for truck and provide any buffering to the residential areas. The second downside is the addition of trucks entering the highway at the intersection of US 27A and County Road 102. Accessory lanes would most likely need to be provided if FDOT would allow the connection. This route is not recommended by the County Engineer in its current setting.

3. A 100 foot buffer with a minimum 50 foot of vegetation is proposed around the perimeter of the mine area. This appears to be adequate for the proposed activity. Some areas of the haul route may need to provide buffering where adjacent to offsite properties.
4. The proposed project does not appear to be against any policies in the Comprehensive Plan. The use is compatible with the present zoning and future land

use. The project is not within environmentally sensitive lands. The project does not appear to breach any level of service requirements.

5. The proposed activity does not appear to impact any springs, rivers, tributaries or water quality. Refer to DNM's cover letter dated May 24, 2023, response to c.5 for distances to relevant features and offsite potable wells. The excavation is proposed to stay above the seasonal high water table as determined in borings conducted on the site as presented in the applicants Environmental Resource Permit application submitted and permitted by the SWFWMD under 43046299.000 dated December 22, 2022. The ERP permit indicates no environmental concerns, no flood plain impacts, and no offsite impacts. No blasting is proposed at this site. Further study by a professional geologist does not appear to be necessary.
6. A buffer around the mine area is proposed to control, noise, odor, dust, vibration, off-site glare. Refer to DNM's cover letter dated May 24, 2023, response to c.6. Due to the nature of the proposed activity, the proposed buffers appear to be adequate. Impacts to surrounding development and roadways is commented on in "ii" above.
7. The proposed activity does not appear to near any state, federal, or county park.
8. The proposed activity is not near any dumpsites, landfills, effluent ponds, public water supply wellhead.
9. The site is not located in any prohibited area set forth in (d)(1).
10. The applicant has obtained an Environmental Resource Permit from the SWFWMD and has submitted a notice of intent to mine to FDEP. Note that the application package for the notice of intent to mine does not appear to have been provided in the Special Exception package.
11. As discuss above the proposed activity appear to be sufficiently separated from residential and business areas to not be detrimental to the public health, safety or welfare.

d. Specific criteria

1. Prohibited areas

- a) Site not located within required distance of abandoned dumpsites, landfills, or effluent ponds as identified by FDEP.
- b) Site is not located within 1000 feet of a public water supply wellhead and no blasting is proposed.
- c) Site is not located within one mile of a public water supply wellhead.
- d) Site is not located within 2 miles of Manatee Springs or Fanning Springs State park.
- e) Site is not located within one mile corridor (one-half mile on either side) of known geological features with the potential to Impact Manatee Springs or Fanning Springs. Additional study is not recommended to be required.
- f) The site is not located within one-quarter mile of schools, hospitals, parks.
- g) The site is not located within one-quarter mile of a platted and recorded subdivision with lot sizes of 5 acres or less. There are unrecorded subdivision with 5 acre lots adjacent to the east boundary of the site. The applicant is proposing a 100 foot buffer with a minimum 50 vegetative area. A berm is also proposed in some areas to provide additional screening.

2. Buffering Standards

- a) Applicant is proposing a 100 foot buffer round the total mine area. This is shown on the plans and described in the DNM cover letter. Note that the plans do not specify or detail the makeup of the buffer.

- b) Applicant is proposing a 100 foot buffer. This is shown on the plans and described in the DNM cover letter. Note that the plans do not specify or detail the makeup of the buffer.
- c) The applicant in the DNM cover letter proposes a 50 feet area within the 100 foot buffer be in planted with 3 rows spaced at 8 feet of sand pines spaced at 6 feet with a stagger. Additionally the DNM cover letter describes a berm to provide additional screening to meet the 80% opacity requirement. Specifications nor detail of the buffer or berm appear to be provided in the plans.
- d) The proposed buffer described in the DNM cover letter appears to provide the required buffer described in the code, however this information does not appear to be provide in the plans.
- e) An 8-foot high earthen berm is described in DNM cover letter with slopes not exceeding 1V:1H. The plans appear to show the berm or provide details as to where or how to construct it. No indication of method of stabilizing the berm is provide in the letter or in the plans. Sufficient topography is not provided in the plans to determine if a berm would be detrimental to offsite properties by not allowing runoff to continue into the mine area.

### 3. Access Requirements.

- a) The proposed route to C-337 provides access to a road classified as "Major Collector-Rural". The southern alternate route to LCR 103 does not provide direct access to a road with a minimum classification of major collector or arterial road as it is classified as a "Local" road. The northern alternate route does provide access to US 27 classified as a "Principal Arterial" which exceeds the criteria.
- b) The proposed route to C-337 provides ingress and egress onto a paved county road. The alternate routes also provide access onto paved county or state roads. However the classification of LCR 103 for the southern alternate does not meet the requirement to be a minimum classification of major collector.
- c) The proposed access to C-337 is not through a platted recorded or unrecorded subdivision. The northern alternate route appears to go through unrecorded subdivisions and is adjacent to a recorded subdivision. The southern alternate does not appear to go through platted recorded or unrecorded subdivisions.
- d) The applicant provided traffic information to demonstrate that the proposed activity will not be detrimental to C-337. The proposed haul route to C-337 is within the "family" property of the applicant. The northern alternate route would require travel through private property. No assurances have been provided that the route would not damage the private property.

### 4. Setback Requirements

- a) The proposed activities are not within 100 feet of any road right-of-way boundary.
- b) A 100 foot buffer is proposed along the entire perimeter of the mine area, therefor the requirement to be 50 feet away from undeveloped lot and 100 feet from a developed lot is met.

### 5. Slope requirements. The proposed side slopes of the sand mine excavation are proposed a maximum of 1V:3H.



6. Reclamation plan. The DNM cover letter indicates that a notice of intent to mine was submitted to FDEP. The contents of this notice do not appear to have been submitted with the Special Exception application. No reclamation plan appears to be provide in the application other than grading the side slopes to no steeper than 1V:3H and a brief mention in the "fill activities" section of the Mining Impact Assessment Report which indicates that "clean fill may be used to reclaim the subject property bas to the original agricultural use an existing grade."
7. Mining Impact Assessment Report. The DNM cover letter provides responses to the required items.
- a) Compatibility. Blasting is not proposed. A 100 foot buffer is proposed to mitigate sound and vibration transmission to offsite area. The proposed activity is not expected to cause vibration beyond the proposed buffers. The equipment utilized for loading and the trucks area typically equipped with back-up alarms which may be heard beyond the proposed buffers when operated near the perimeter. The ERP report submitted indicates no issues with environmental resources. There does not appear to be any cultural or historical resources in the area of concern.
  - b) Transportation System. A traffic study was submitted by Kittelson & Associates and Pavement Analysis for C-337 by Geo-Tech, Inc. as discussed in Ilc2 above.
  - c) Water Pumping Activities. Water pumping activities do not appear to be proposed or required for the facility. It is noted that there are two existing wells within the proposed excavation area. It appears that a 100 foot buffer will be provided around these wells.
  - d) Fill Activities. The DNM cover letter indicates that they "will only utilize clean fill material to reclaim the subject property to the original agricultural use and existing grade." No fill activities are indicated in the plans. Any plans for filling should be provided for review and approval.
8. Documentation/Application. The applicant has provided the following documents:
- a) DNM cover letter to Levy County Planning & Zoning date May 24, 2023 which includes brief description of the project and provides narrative to the items required by Section 50-719 Subdivision II (c) and (d). This include section entitled "Mining Impact Assessment Report."
  - b) Environmental Resource Permit Application for 3RT Sand Mine dated March 2023 prepared by DNM Engineering & Associates, Inc.
  - c) Environmental Resource Permit Plans for 3RT Sand Mine dated 3/1/2023 by DNM Engineering & Associates, Inc.
  - d) SWFMWD ERP permit 43046299.000 issued 12/22/2022
  - e) Boundary survey by Rogers Engineering, LLC date 2/28/2023
  - f) Pavement Analysis dated 4/21/2023 prepared by Geo-Tech, Inc.
  - g) Traffic Impact Statement dated 4/17/2023 prepared by Kittleson & Associates
  - h) Ingress/Egress Map dated 5/ 4/2023 prepared by DNM Engineering & Associates, Inc.
  - i) Property Appraisers Aerial Overlay dated 2/28/2023 prepared by DNM Engineering & Associates, Inc.
  - j) Special Exception Application
  - k) Excavation and Fill Permit Application dated 5/19/2023 to Levy County Building Department.



9. Application Fee. Defer to Planning Department
  10. Excavation and Fill Permit has been submitted to the Development Department and reviewed by the County Engineer. Refer to Section III below.
  11. Public Notice Requirement. Public notice was performed by the Planning and Zoning Department in accordance with this requirement to those properties within 2 miles of the mine area.
  12. Duration of Approval. The projected life of the facility does not appear to be provided in the submitted information. The total volume of material proposed to be excavated does not appear to be provided in the submitted information.
  13. Transfer of Special Exception. To be included in Special Exception order.
  14. Liability for major mining operations. To be included in Special Exception order. A bond is required in the amount of \$2500 per acre as a reclamation performance bond. No storage for slime, retention or thickening pond is proposed therefore the requirement \$1000 bond in 14(b) is not required.
  15. Annual report and inspection. The requirement for an annual report and inspection should be included in the Special Exception order.
  16. Forfeiture. This should be included in the Special Exception order.
- e. Major mining operations in rural residential zoning district. This mining area of the project is located in A/RR zone. The major access route passes through an area zoned RR.

The criteria for II (c) and II (d) are discussed above.

1. The tract is larger than 10 acres.
2. No processing or grading of material is proposed for the project and specifically not in the RR zone.
3. The proposed activity is mining of sand and clayey sands. No mining is proposed in the RR zone.
4. The material is proposed to be excavated using mechanical means. No blasting is proposed.
5. The proposed final grades will have a perimeter slope of 1H:3V down to an elevation approximately 3 feet above the seasonal high water table across the remainder of the mined area.
6. The special exception DNM cover letter describes a berm within the perimeter buffer. The DNM cover letter does not appear to include the berm in the perimeter buffer. The berm, if utilized, may block surface runoff from entering the property from outside areas. A specific grading plan for the berm has not been provided. The berm would not be within the RR zone. Otherwise the project does not appear to have any impacts on the surrounding areas.
7. The proposed major access route passes through "family" lands from the mining area to County Road C-337. This is a paved road with a classification of "major collector-rural". This route passes through parcels zoned RR. The route does not pass through recorded or unrecorded residential areas and does not use local roads. The proposed alternate routes do not meet these requirements, but they do not pass through RR zoned areas. The north route would be adjacent to RR zoned platted subdivision.
8. The hours of operation should be stipulated in the Special Exception order and in the excavation and fill permit.
9. The excavation area is not within the RR zone. Signing as required should be implemented if deemed necessary by the Planning Commission or Board.

- 10. The applicant has provided geotechnical report which includes the required test drilling to establish the seasonal high water table within the mining area. The grading proposes to stay 3 feet above the estimated seasonal high water table.
- 11. Backfilling is not proposed other than clean material to help with reclamation activities after mining to return the land to agricultural use.

III. Excavation and Fill permit

- a. An Excavation and Fill permit is required since this is a major mining activity.
- b. Application Requirements.
  - 1. Boundary Survey was provided for the mine area. A boundary survey for the property containing the haul route was not provided.
  - 2. Site Plan was provided as Sheet SM2. The site plan provides the required information with the exception of distances of buildings to property lines and distances to existing offsite structures.
  - 3. A sheet with the proposed hauling route was provided.
  - 4. A description of the proposed work was provided in the DNM cover letter. The expected duration of the activity does not appear to have been provided.
  - 5. The proposed activity is not within an environmentally sensitive area. A copy of the SWFWMD ERP permit was provided.
  - 6. The project is not located within the 100-year flood plain of the Suwannee River.
  - 7. The project does not appear to be creating a pond. The proposed excavation depth is indicated to be 3 feet above the estimated seasonal high water table established in the geotechnical report provided in the ERP application.
  - 8. The project is not within an existing body of water.
  - 9. The project is not near any stormwater system currently maintained by a public or private entity.
  - 10. A berm is mentioned in the DNM cover letter within the 100 foot buffer. The berm is not shown or detailed in the plans provided. It is not apparent if such a berm would affect the natural flow or drainage patten of surface water into the site from offsite areas.
  - 11. Application Fee. Defer to the Development Department.
- c. Permit Review and approval process
  - 1. Hauling Requirements.
    - a) Does not appear to be applicable to a mine.
    - b) Does not appear to be applicable to a mine.
    - c) Does not appear to be applicable to a mine.
    - d) Include in the permit and Special Exception order.
  - 2. The maximum excavation depth is proposed to be 3 feet above the estimated seasonal high water table as established in the geotechnical report provided in the ERP application.
  - 3. No blasting is proposed.
  - 4. No excavation is proposed within 100 feet of the right-of-way of a public road, nor 50 feet of a property line or a private easement.
  - 5. The proposed side slopes of the excavation are indicated to be 1V:3H maximum
  - 6. This review serves as the County Engineers review of the Excavation and Fill permit application and the Special Exception permit application.
  - 7. The County Engineer finds that the 3RT Sand Mine is not expected to be detrimental to the health, safety or general welfare of the adjacent properties or the community and recommends approval of the application with the following stipulations:



- a) Any berm constructed along the perimeter be design and constructed to permit runoff from offsite areas which historically flowed into the mine property to continue to do so.
  - b) Buffers as described in the DNM cover letter are implemented around the perimeter of the mining area. The berm shall only be required where necessary to screen the site from adjacent residential homes.
  - c) Should offsite areas adjacent to the proposed haul route be adversely affected, the haul route shall be adjusted to eliminate the adverse condition within a reasonable period of time.
  - d) Should any groundwater become apparent in the excavation area, the area will be backfilled to a level 3 feet above the water level.
  - e) Existing wells within the mine area will either be properly abandoned or a minimum 100 foot radius buffer will be maintained around the well.
  - f) Once final grades are reached by the excavation, the area will be reclaimed by restoring vegetation to the area within 3 months.
  - g) A berm, excavation or other method shall be implemented where runoff from the excavation area may leave the site.
  - h) Areas within the proposed mine area, which are not currently being mined shall remain either as pasture or cropped in accordance with established Best Management Practices.
8. Include language in the permit.
  9. The SWFWMD permit has been obtained and provided. Acknowledgement and approval of the FDEP notice of intent to mine shall be provided prior to issuance of permit.
- d. Operation of permit
    1. Posting permit at site. Include language in permit.
    2. Duration. Duration of the permit needs to be established. A sunset provision needs to be provided in the special exception order and the excavation and fill permit.
    3. Inspections. Code language doesn't appear to anticipate an ongoing mine project. Any required inspections should be included in the Special Exception order and the Excavation and Fill permit.
    4. Forfeiture. Include language in permit.

The above information constitutes the County Engineer's review of the 3RT Sand Mine Special Exception and Excavation and Fill Permit Application.

D. Andrew Carswell, State of Florida, Professional Engineer, License No. 45831

This item has been electronically signed and sealed by D. Andrew Carswell, PE on the date indicated here using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

SIGNATURE DATE: 6/15/2023

Prepared by and return to:  
The Law Office of Douglas K. McKoy, P. A.  
302 North Main Street, Suite B, Trenton, FL 32693  
File Number: Q 21-06-02-B

### Quit Claim Deed

Made this 4th June, 2021 A.D., by Lee A. Thomas, Individually and as Sole Trustee under Agreement with Lee A. Thomas, UAD 10/01/2003, and Lee A. Thomas, as Sole Successor Trustee under Agreement with Beverly J. Thomas, UAD 10/01/2003, whose post office address is 4990 NE 195<sup>th</sup> Ct, Williston FL, 32693, hereinafter called the grantor, to Ryan B. Thomas, a single man, whose post office address is: 11151 NE 35<sup>th</sup> St, Bronson, FL, 32621, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth**, that the grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Levy County, Florida, viz:

See Exhibit "A"

*Said property is not the Homestead of the Grantor(s) as defined by the laws and constitution of the State of Florida in that neither Grantor(s) nor any member of their family resides thereon.*

*Title to the land herein conveyed was neither researched, guaranteed or insured by the preparing attorney at the request of the parties to the deed.*

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

**In Witness Whereof**, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence

Douglas K. McKoy  
Witness Signature

Douglas K. McKoy  
Witness Printed Name

Laurie A. Terry  
Witness Signature

Laurie A. Terry  
Witness Printed Name

Lee A. Thomas  
Lee A. Thomas, as Sole Trustee under Agreement with Lee A. Thomas, UAD 10/01/2003

Lee A. Thomas  
Lee A. Thomas, As Sole Successor Trustee under Agreement with Beverly J. Thomas, UAD 10/01/2003

Lee A. Thomas  
Lee A. Thomas, Individually

STATE OF FLORIDA  
COUNTY OF Gilchrist

The foregoing instrument was acknowledged before me by means of  physical presence or ( ) online notarization this 4th day of June, 2021, by Lee A Thomas, Individually and as Sole Trustee under Agreement with Lee A. Thomas, UAD 10/01/2003 and as & Successor Trustee under Agreement with Beverly J. Thomas, UAD 10/01/2003. Personally Known:  OR Produced Identification: \_\_\_ Type of Identification produced: \_\_\_\_\_.

Notary Seal:



DOUGLAS K MCKOY  
Commission # GG 223987  
Expires July 6, 2022  
Bonded Thru Budget Notary Services

Douglas K. McKoy  
Signature of Notary Public



EXHIBIT "A"

The North ½ of the Northwest ¼ of Section 2, Township 13 South, Range 17 East, Levy County Florida, Parcel ID# 0360400600

AND

The Southwest ¼ of the Southwest ¼ and the North ½ of the Southwest ¼ and the South ½ of the Northwest ¼ of Section 35, Township 12 South, Range 17 East, Levy County, Florida, LESS AND EXCEPT that property described in Official Records Book 20, Page 144, public records of Levy County, Florida.  
Parcel ID# 0359700000

And

The Southeast ¼ of the Southwest ¼ of Section 35, Township 12 South, Range 17 East, Levy County, Florida.  
Parcel ID# 0359700300

AND

The Southeast ¼ of Section 35, Township 12 South, Range 17 East, Levy County, Florida.  
Parcel ID# 0359700400

AND

The South ½ of the Northeast ¼ of Section 35, Township 12 South, Range 17 East, Levy County, Florida. TOGETHER WITH a non-exclusive easement for ingress and egress over and across the East 30 feet of the Northeast ¼ of the Northeast ¼ of said Section 35, and over the East 30 feet of that portion of Section 26, Township 12 South, Range 17 East, lying South of Highway 27-A, as more fully set forth in that certain easement agreement dated October 13, 1966 and recorded in Deed Book 101, Page 79, Public Records of Levy County, Florida.  
Parcel ID# 0359701600

AND

The Southeast ¼ of the Northwest ¼, all in Section 2, Township 13 South, Range 17 East, Levy County, Florida.  
Parcel ID# 036040000

AND

The Northeast ¼ of the Southwest ¼ all in Section 2, Township 13 South, Range 17 East, Levy County, Florida.  
Parcel ID# 0360400400

AND



## Exhibit "A" continued

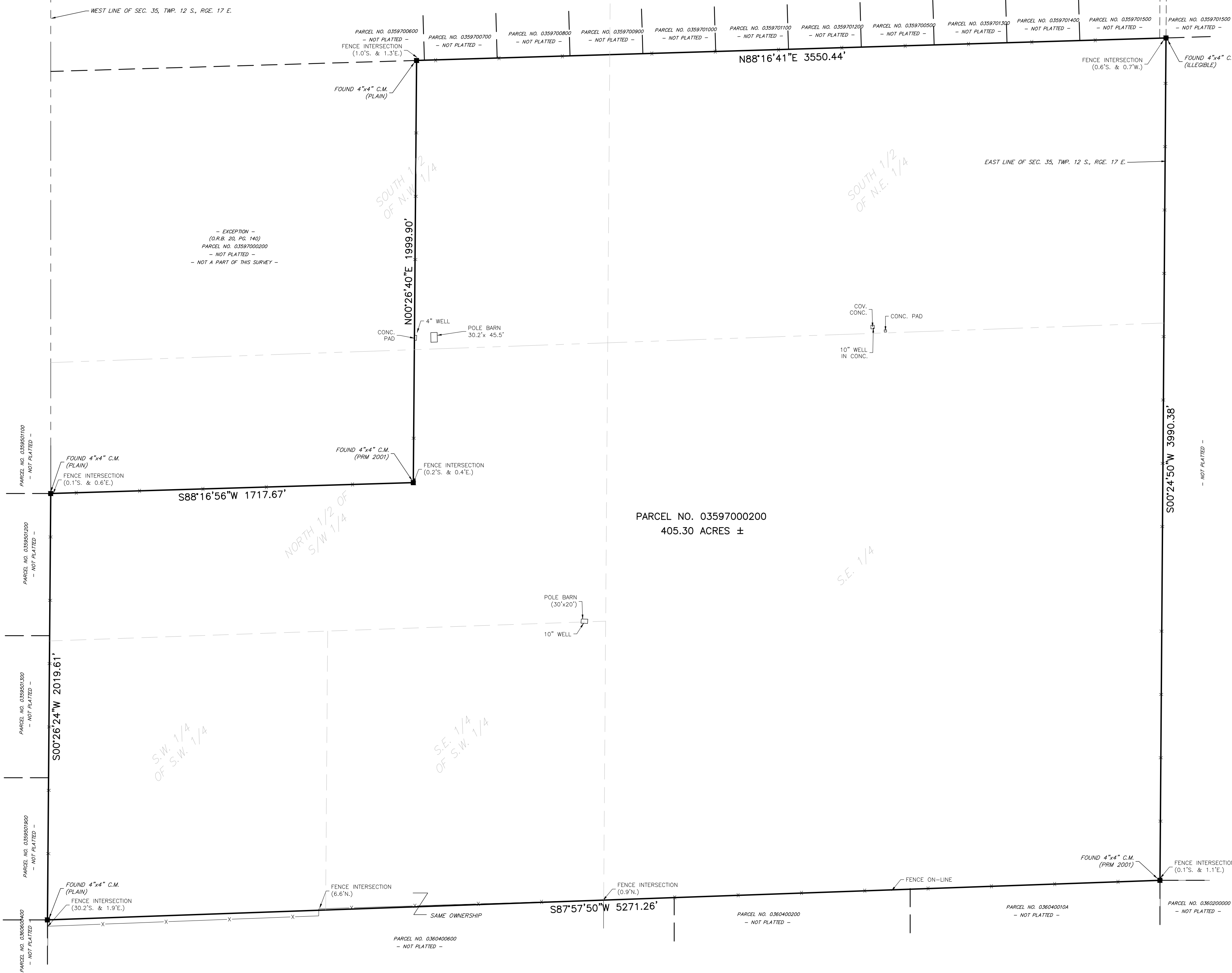
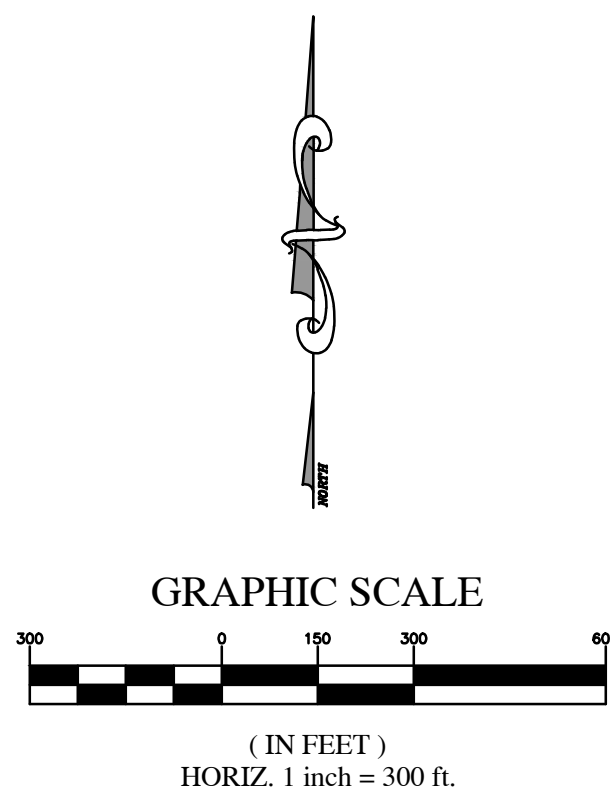
Part of Section 23, Township 12 South, Range 18 East, inside the Arredondo Grant, Levy County, Florida, more particularly described as follows; commence at the Northeast corner of said Section 23, thence S 00°12'57" East, along the East line of said Section 23, a distance of 1370.00 feet to the Point of Beginning (POB); thence continue S. 00°12'57" East, along the East line, 3148.20 feet to the Southeast Corner of said Section 23 as marked by a concrete monument I.D. #2548; thence S 89°38'54" West, along the South line of said Section 23, a distance of 2715.00 feet; thence N 00°12'57" West, a distance of 1365.15 feet; thence S 89°59'38" East, a distance of 330.00 feet; thence N 00°12'57" West, a distance of 1800.00 feet; thence S 89°59'38" East, a distance of 330.00 feet; thence N 00°12'57" West, a distance of 1320.00 feet to the South right-of-way (R/W) line of County Road 335; thence S 89°59'38" East, along the said R/W line, 490.00 feet ; thence S 00°12'57" East, a distance of 400.00 feet; thence S 89°59'38" East, a distance of 245.00 feet; thence S 00°12'57" East, a distance of 920.00 feet; thence S 89°59'38" East, a distance of 1320.00 feet to the POB.

TOGETHER WITH: an easement for ingress and egress over the East 30.00 feet of the South 1337 feet of the North 1370 feet of said Section 23.

Subject to any restrictions, easements, and/or adverses that pertain to this property.  
Parcel ID# 0412300200

AND

A parcel of land lying in Section 23, inside the Arredondo Grant, Township 12 South, Range 18 East, Levy County, Florida, being more particularly described as follows: Commence at a railroad spike at the Northeast corner of said Section 23, Inside the Arredondo Grant, and run N 89°59'38" West, along the North line of said Section 2055.00 feet; thence S 00°12'57" East, 50.00 feet to the South right-of-way line of N.E. 75<sup>th</sup> Street (aka County Road No. 355) and the Point of Beginning of the herein described parcel; thence North 89°59'38" West, along said South right-of-way line, 1320.00 feet; thence South 00°12'57" East, 4489.27 feet to the South line of said Section 23; thence North 89°38'54" East, along said South line, 660.00 feet; thence North 00°12'57" West, 1365.15 feet; thence South 89°59'38" East, 330.00 feet; thence North 00°12'57" West, 1800.00 feet; thence South 89°59'38" East, 330.00 feet; thence North 00°12'57" West, 1320.00 feet to the said Point of Beginning.  
Parcel ID# 0412300300



**LEGAL DESCRIPTION:**

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA.

LESS AND EXCEPT THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 20, PAGE 144, PUBLIC RECORDS OF LEVY COUNTY, FLORIDA. PARCEL ID# 0359700000

AND

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA. PARCEL ID# 0359700300

AND

THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA. PARCEL ID# 0359700400

AND

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EAST 30 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, AND OVER THE EAST 30 FEET OF THAT PORTION OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LYING SOUTH OF HIGHWAY 27-A, AS MORE FULLY SET FORTH IN THAT CERTAIN EASEMENT AGREEMENT DATED OCTOBER 13, 1966 AND RECORDED IN DEED BOOK 101, PAGE 79, PUBLIC RECORDS OF LEVY COUNTY, FLORIDA. PARCEL ID# 0359701600

**SURVEY REPORT:**

1. FIELD MEASURED BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NAD-83, AND DERIVED FROM THE L-NET NETWORK.
2. FIELD SURVEY DATE: 2-2-2023.
3. NO TITLE INFORMATION REFLECTING RIGHTS-OF-WAY, OR EASEMENTS OF RECORD, WAS FURNISHED TO THE SURVEYOR UNLESS SHOWN OR NOTED HEREON.
4. INTERIOR FENCES WERE NOT SHOWN FOR CLARITY.
5. UNDERGROUND IMPROVEMENTS OR UTILITIES, IF ANY, WERE NOT LOCATED.
6. THIS PROPERTY APPEARS TO BE IN A ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY NUMBER 120145, PANEL 0215, SUFFIX F, WITH AN EFFECTIVE DATE OF 11/2/2012.
7. THIS PROPERTY THIS SURVEY MEETS THE STANDARDS OF PRACTICE CONTAINED IN CHAPTER 5J-17.050 THROUGH .052, FLORIDA ADMINISTRATIVE CODE AND THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THE MINIMUM RELATIVE DISTANCE ACCURACY FOR RURAL LAND USE.
8. UNLESS IT BEARS THE DIGITAL SIGNATURE AND CERTIFICATION OR THE PHYSICAL SIGNATURE AND SEAL OF THE LICENSED SURVEYOR AND MAPPER, THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

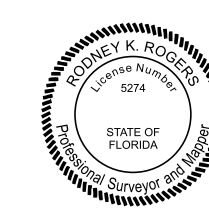
DATE	REVISION

Robert L. Rogers, PE  
rlrogers@rogerseng.com  
Rodney K. Rogers, PSM  
rkrogers@rogerseng.com  
Mekelle M. Boyette, PSM  
kboyette@rogerseng.com

**ROGERS ENGINEERING, LLC**  
Civil Engineering & Land Surveying

1105 S.E. 3rd Avenue • Ocala, Florida 34471 • Ph. (352) 622-9214 • Lic. Bus. #4074

A BOUNDARY SURVEY  
FOR  
3RT SAND MINE



RODNEY K. ROGERS DATE  
PROFESSIONAL SURVEYOR & MAPPER  
REGISTRATION NO. 5274  
STATE OF FLORIDA

JOB No. 22_MASTER
DATE 2-7-2023
SCALE 1" = 300'
SHEET 1 OF 1





**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Main Ingress/Egress from/to N.E. 30<sup>th</sup> St.



Ingress/Egress Road



Point 1 on Site Plan looking East



Point 1 on Site Plan looking Southeast



Point 1 on Site Plan looking South



Point 1 on Site Plan looking Southwest



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 1 on Site Plan looking West



Point 1 on Site Plan looking Northwest



Point 1 on Site Plan looking North



Point 1 on Site Plan looking Northeast



Point 2 on Site Plan looking South



Point 2 on Site Plan looking Southwest



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 2 on Site Plan looking West



Point 2 on Site Plan looking Northwest



Point 2 on Site Plan looking North



Point 2 on Site Plan looking Northeast



Point 2 on Site Plan looking East



Point 2 on Site Plan looking Southeast



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 3 on Site Plan looking West



Point 3 on Site Plan looking Northwest



Point 3 on Site Plan looking North



Point 3 on Site Plan looking Northeast



Point 3 on Site Plan looking East



Point 3 on Site Plan looking Southeast



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 3 on Site Plan looking South



Point 3 on Site Plan looking Southwest



Point 4 on Site Plan looking North



Point 4 on Site Plan looking Northeast



Point 4 on Site Plan looking East



Point 4 on Site Plan looking Southeast



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 4 on Site Plan looking North



Point 4 on Site Plan looking Northeast



Point 4 on Site Plan looking East



Point 4 on Site Plan looking Southeast



Point 5 on Site Plan looking West



Point 5 on Site Plan looking Southwest



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 5 on Site Plan looking North



Point 5 on Site Plan looking Northeast



Point 5 on Site Plan looking East



Point 5 on Site Plan looking Southeast



Point 5 on Site Plan looking South



Point 5 on Site Plan looking Southwest



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 6 on Site Plan looking North



Point 6 on Site Plan looking Northeast



Point 6 on Site Plan looking East



Point 6 on Site Plan looking Southeast



Point 6 on Site Plan looking South



Point 6 on Site Plan looking Southwest





**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



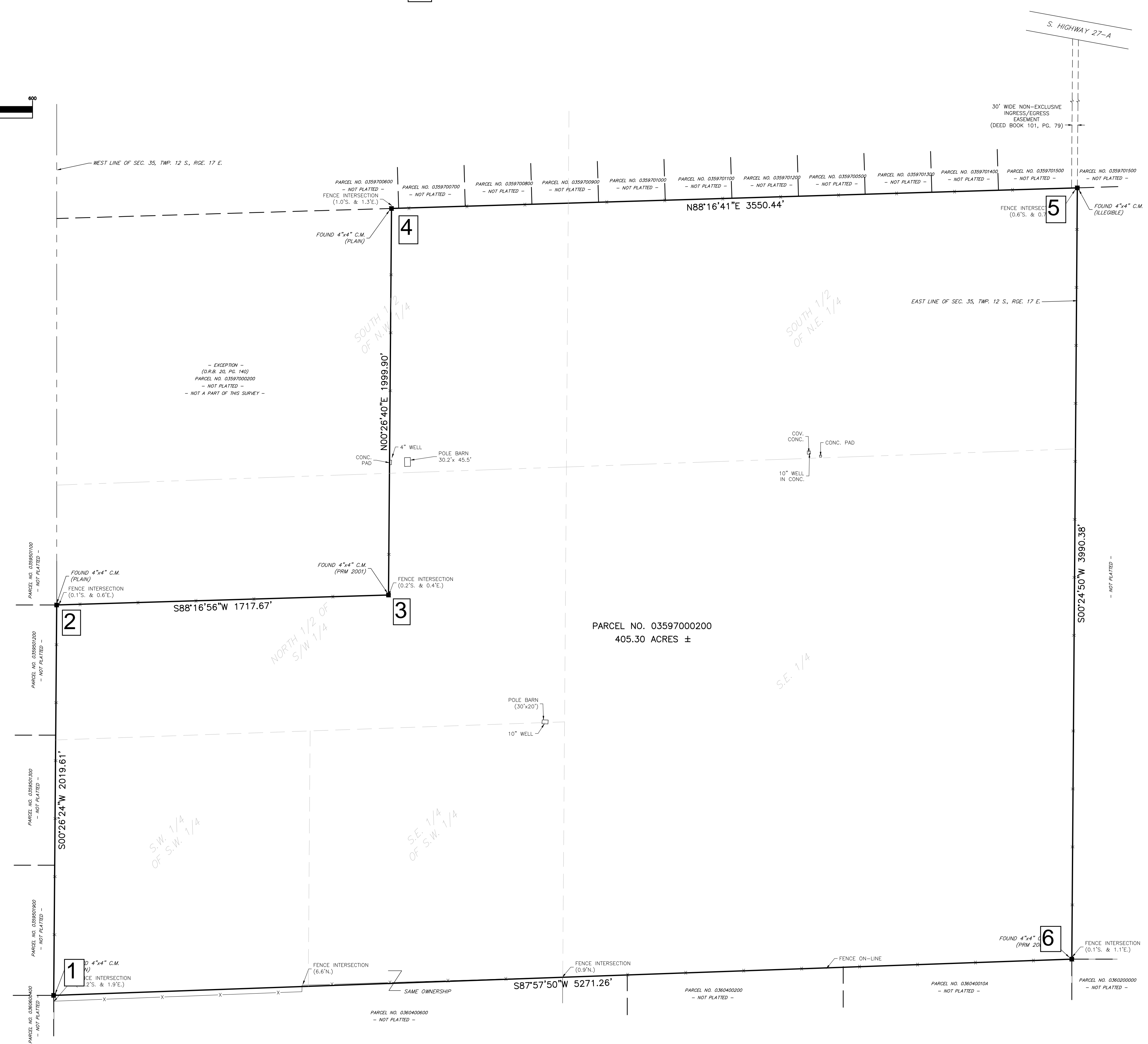
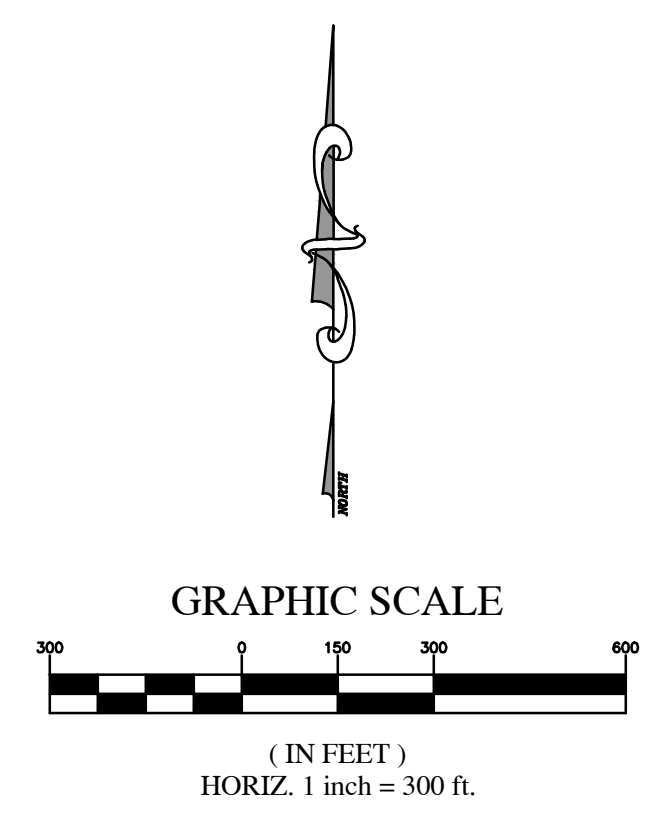
Point 6 on Site Plan looking West



Point 6 on Site Plan looking Northwest

# PHOTOGRAPH SITE PLAN

**X** PHOTOGRAPH LOCATION



**LEGAL DESCRIPTION:**

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA.

LESS AND EXCEPT THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 20, PAGE 144, PUBLIC RECORDS OF LEVY COUNTY, FLORIDA.

PARCEL ID# 0359700000

AND

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA. PARCEL ID# 0359700300

AND

THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA. PARCEL ID# 0359700400

AND

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EAST 30 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, AND OVER THE EAST 30 FEET OF THAT PORTION OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LYING SOUTH OF HIGHWAY 27-A, AS MORE FULLY SET FORTH IN THAT CERTAIN EASEMENT AGREEMENT DATED OCTOBER 13, 1966 AND RECORDED IN DEED BOOK 101, PAGE 79, PUBLIC RECORDS OF LEVY COUNTY, FLORIDA.

PARCEL ID# 0359701600

**SURVEY REPORT:**

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DATE	REVISION

Robert L. Rogers, PE  
rlrogers@rogerseng.com  
Rodney K. Rogers, PSM  
rkrogers@rogerseng.com  
Mekelle M. Boyette, PSM  
kboyette@rogerseng.com

**ROGERS ENGINEERING, LLC**  
Civil Engineering & Land Surveying

1105 S.E. 3rd Avenue • Ocala, Florida 34471 • Ph. (352) 622-9214 • Lic. Bus. #4074

A BOUNDARY SURVEY  
FOR  
3RT SAND MINE

RODNEY K. ROGERS DATE  
PROFESSIONAL SURVEYOR & MAPPER  
REGISTRATION NO. 5274  
STATE OF FLORIDA

JOB No. 22_MASTER
DATE 2-7-2023
SCALE 1" = 300'
SHEET 1 OF 1



## MEMORANDUM

---

Date: April 17, 2023  
To: Ms. Stacey Hectus  
Planning and Zoning Director  
Levy County  
320 Mongo Street  
Bronson, FL 32621  
From: Kok Wan Mah, PE  
Project: 3RT Sand Mine  
Subject: Traffic Impact Statement, Roadway Capacity

---

Project #: 29057

### Introduction

The purpose of this memorandum is to provide a Traffic Impact Assessment as required by Levy County Code of Ordinances, Sec. 50-719 for the proposed 3RT Sand Mine, which requires a Traffic Impact Assessment to support a Special Exception and demonstrate adequate capacity on impacted roads. The proposed sand mine project location is approximately 1.3 miles east of CR 337 and 1 mile north of NE 30th Street in Levy County, Florida. Access to the site will be a restricted access driveway that will lead out to CR 337 via NE 42<sup>nd</sup> Street. The property includes parcel numbers are 0359701600, 0359700400, 0359700000, and 0359700300. The property is approximately 400 acres. A map showing the parcel boundary and parcel ownership is attached (**Figure 1**).

### Trip Generation Summary and Site Operations

The ITE Trip Generation Manual, 11<sup>th</sup> Edition does not include information for a sand mine or other similar use. Therefore, the trip generation for the proposed project is based on input from the Applicant with a description of the operations for the site.

As a natural resource extraction mine, the site is expected to generate a low volume of trips per day and is not open to the public. The mine is expected to have two to three employees on site and only one or two truck drivers that will make multiple trips to and from the facility along the hauling route. Additionally, the site may work with other contractors in the area to permit their trucks to haul fill from the site. Based on input from the property owner, this may include two or three additional trucks. Each truck has capacity to hold between 10 and 16 cubic yards of fill. Loading times vary, depending on whether the loading is done with an excavator or front loader, the type of loading being done, and distance between the fill and the truck. On a productive day, it is expected that the trucks can make a maximum of 12 to 14 loads per day but often there will be less. Using a conservatively high average of three trucks with 14 loads per truck, this would result in a maximum of 140 trip ends (14 loads \* 2 trips ends \* 5 trucks). Three on-site employees would generate a maximum of 12 trips per day, assuming arrival at the beginning of the workday, departing and arriving for the lunch hour, and then departing at



April 17, 2023

the end of the day (2 work trips \* 2 lunch trips \* 3 employees). This would result in a total of 152 trip ends per day and less than 10 trips during the peak-hour. It should be noted that the current land use on the property includes agricultural operations. Per the owner of the property, during harvesting seasons, the number of trucks entering and leaving the highway exceeds the number of truck trips that would be experienced as a sand mine.

**Roadway Capacity Evaluation**

Roadways within a 3-mile radius of the site were evaluated for existing and future capacities.

Segment ID	Segment	From	To	# Lanes	Classification	LOS Std.	Daily Capacity	2021 AADT	LOS	v/c
349131	CR 337	E Levy Street	Alt US 27	2	Arterial	C	6,020	2,400	B	0.40
349100	NE 60th Street	CR 337	Alt US 27	2	Collector	C	9,030	850	C	0.09
349111	CR 343	CR 326	CR 337	2	Arterial	C	6,020	250	B	0.04
340132	Alt US 27	CR 337	NE 60th Street	4	Arterial	C	34,000	9,200	C	0.27
Source: LOS Standard based on Levy County Comprehensive Plan, daily capacity from FDOT Generalized LOS tables										
AADT from FDOT Traffic Online										

As the table shows, there is adequate capacity on the area roadway segments. Even if all project traffic were routed on the same segment, none of the segments would be over capacity. The volume-to-capacity ratio for road segments in the area range from 0.09 to 0.40.

**Driveway Access Assessment**

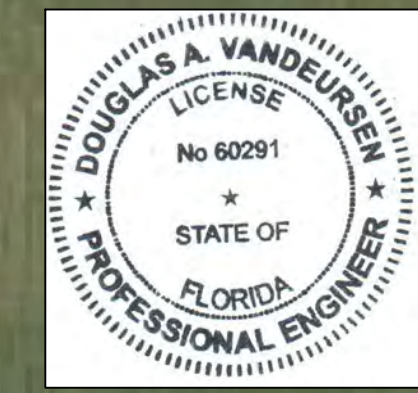
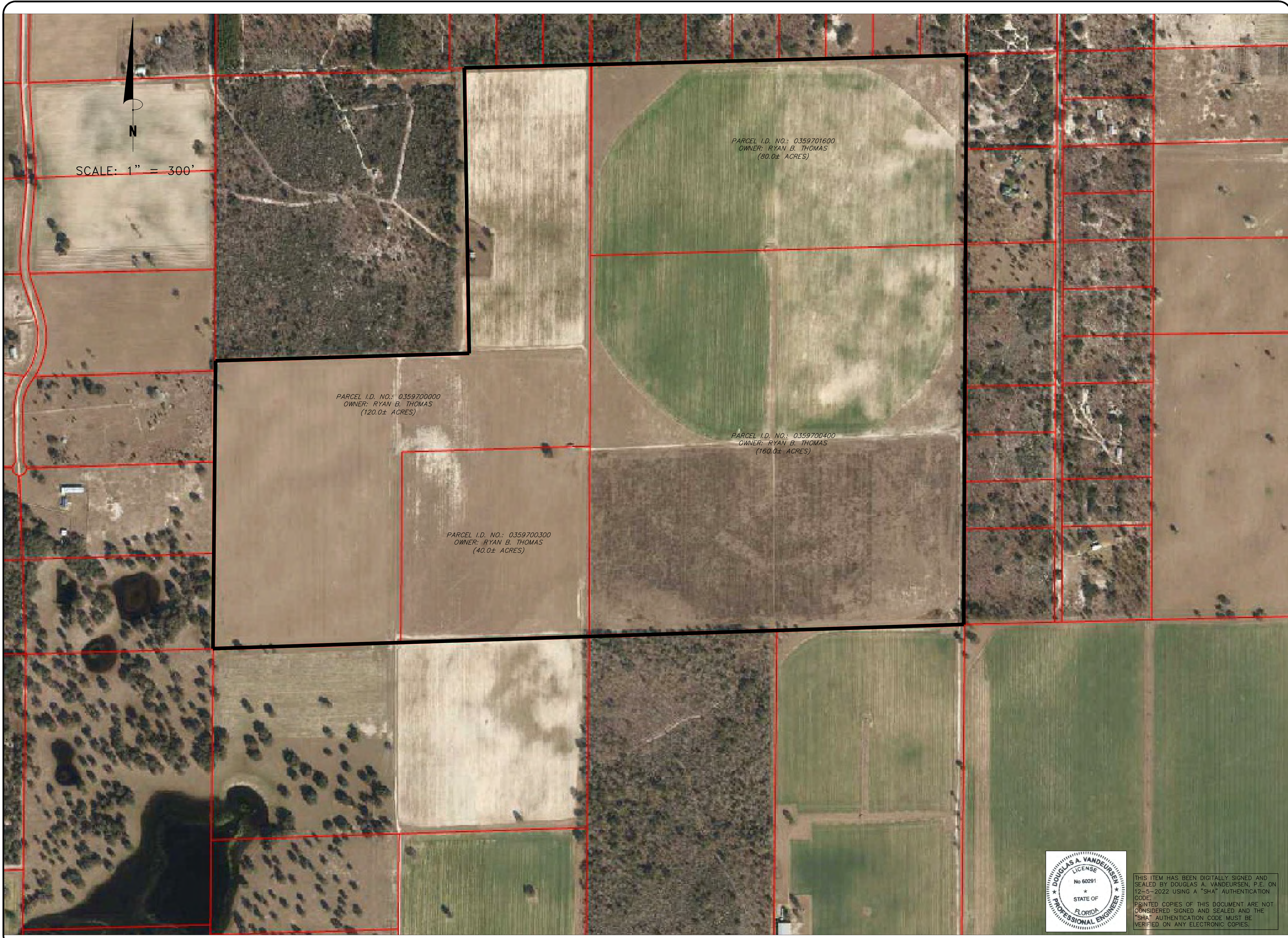
Access to the proposed property will be to CR 337 via NE 42<sup>nd</sup> Street. A map showing the general routing from the site to CR 337 is provided in **Figure 2**. The truck route shown will navigate through the site and properties owned by the Applicant or Applicant’s family to CR 337.

**Conclusion**

In conclusion, the proposed sand mine site is expected to be a low trip generator, producing approximately 152 trips per day and less than 10 trips during the peak-hour. The number of truck trips is expected to be less than the current agricultural operations on the site. This analysis is provided to support the Special Exception Application. We would appreciate the County’s consideration of this request.

Sincerely,

Kok Wan Mah, P.E.  
Associate Transportation Engineer  
Kittelson and Associates Inc.  
kmah@kittelson.com



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY DOUGLAS A. VANDEURSEN, P.E. ON 12-5-2022 USING A "SHA" AUTHENTICATION CODE.  
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE "SHA" AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

**DNM ENGINEERING & ASSOCIATES, INC.**  
 P.O. BOX 42  
 (352) 624-2068  
 Ocala, Florida 34478  
 FAX (352) 622-6643  
 CAN: 9724

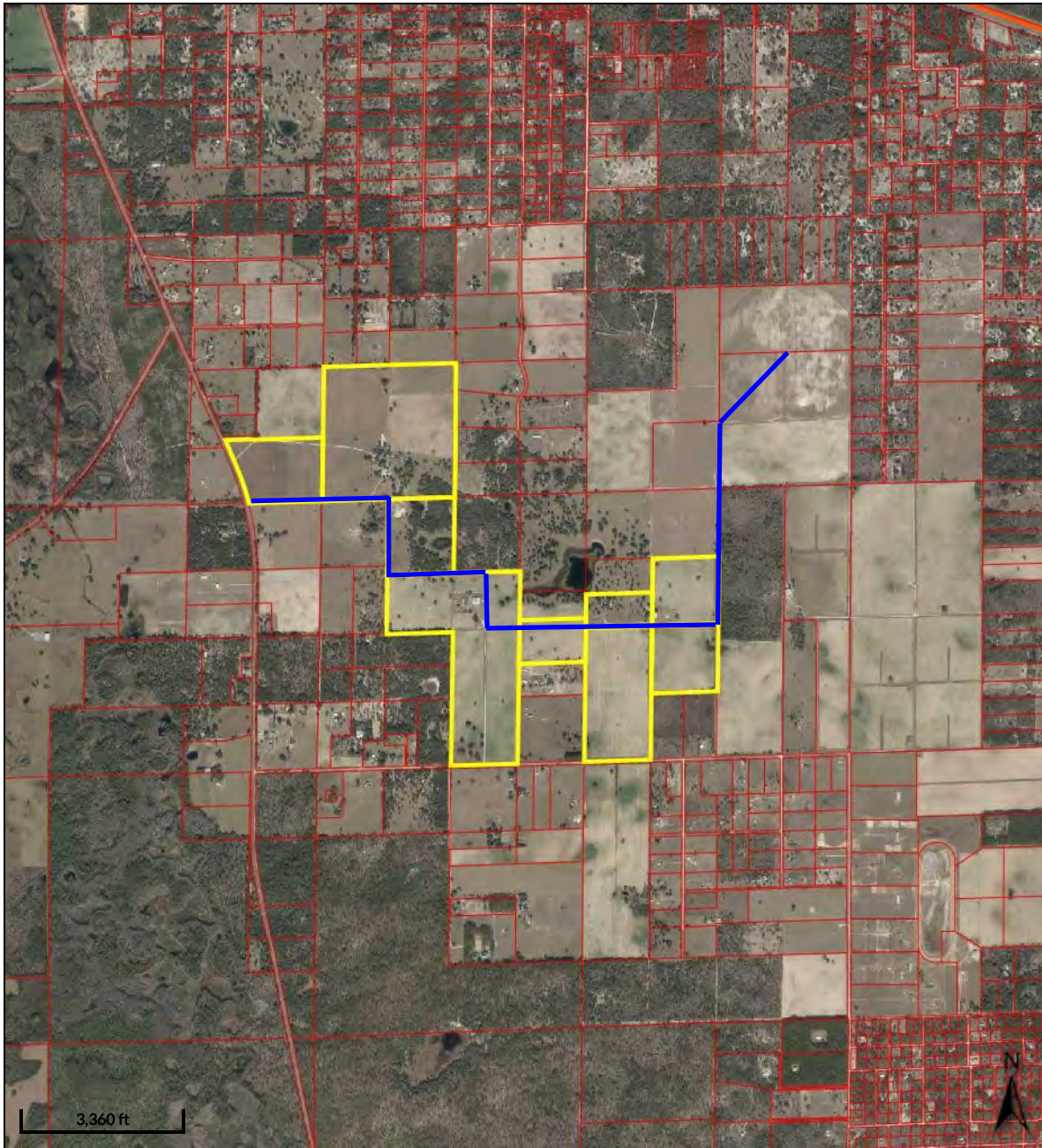
**PROPERTY OWNERSHIP MAP**  
 3RT SAND MINE  
 N.E. 110TH AVENUE  
 BRONSON, LEVY COUNTY, FLORIDA

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE

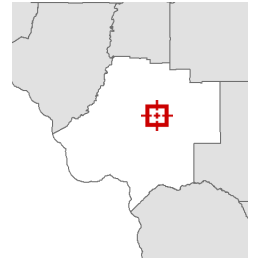
Project No. 22-084

**SM1**

Sheet 3 Of 8



Overview



Legend

- Parcels
- City Labels

Date created: 4/6/2023  
Last Data Uploaded: 4/5/2023 7:22:21 PM

Developed by  Schneider  
GEOSPATIAL

April 21, 2023  
Project No. 23-2162.19.1

Douglas A. VanDeursen, P.E.  
DNM Engineering & Associates, Inc.  
P.O. Box 42  
Ocala, Florida 34478

Reference: Existing County Road 337, Proposed 3RT Sand Pit, NE 110<sup>th</sup> Avenue  
Bronson, Levy County, Florida  
**Pavement Analysis**

Dear Mr. VanDeursen:

Geo-Technologies, Inc. (Geo-Tech) performed pavement analysis on a section of existing County Road 337 between County Road 326 and north of NE 30<sup>th</sup> Street per your request. Our analysis was performed in order to provide an opinion on roadway stability for an expected increase in traffic due to three (3) axle trucks accessing the proposed sand mine.

The original asphalt thickness is unknown for this section of roadway. However, Geo-Tech was provided the spread rate for each time the roadway was resurfaced to estimate the approximate asphalt thickness for use in our analysis.

Geo-Tech has determined an existing structural number of 3.67. This structural number is capable of withstanding 5,000,000 ESALs according to Table A.2A in the FDOT Flexible Pavement Design Manual.

Geo-Tech understands the proposed daily traffic will be approximately 75 one-way trips based on information provided by you. Geo-Tech utilized a Reliability (%R) of 80 and a Resilient Modulus ( $M_R$ ) of 12,000 for our calculations to determine that the total ESALs for the aforementioned traffic is approximately 550,000.

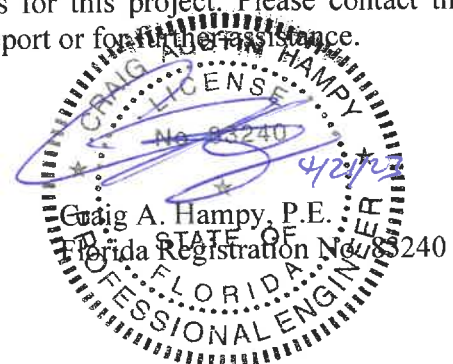
In Geo-Tech's opinion, an increase in ESALs due to the expected increase in traffic is minimal. Geo-Tech recommends additional roadway analysis be performed should traffic increase more significantly than expected. However, minimal increases would not be of concern.

Geo-Tech appreciates the opportunity to provide our services for this project. Please contact the undersigned with any questions regarding the contents of this report or for further assistance.

Sincerely,



Gerald W. Green, Jr.  
Soil & Water Scientist  
GWG/CAH



SCALE: 1" = 500'

27

TO U.S. 27  
NORTHEAST C.R. 37

NORTHWEST C.R. 337

TO LEVY ST. &  
C.R. 326  
NORTHEAST C.R. 337

N.E. 42ND ST.  
PROPERTY OWNER:  
LEE THOMAS

PROPERTY OWNER:  
YANIS PERERA

PROPERTY OWNER:  
TERRY JOSEBY

PROPERTY OWNER:  
LEE THOMAS

PROPERTY OWNER:  
WARE REVOCABLE TRUST

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
TED & NEED PRUDE

PROPERTY OWNER:  
LEE THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
LEE THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
SHEAN L. SPIVEY

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
RYAN THOMAS

NORTHEAST 30TH STREET

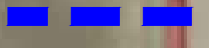
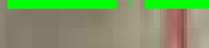
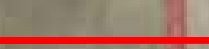
NORTHEAST 30TH STREET

PROPERTY OWNER:  
SAM A. BARRETT  
DER. L. PEMBERTON

PROPERTY OWNER:  
LEE THOMAS

PROPERTY OWNER:  
LOUIS & ANNIE  
WALKER

PROPOSED  
3RT SAND MINE  
PROPERTY  
(400± ACRES)  
PROPERTY OWNER:  
RYAN THOMAS

 MAIN INGRESS/EGRESS ROUTE  
 ALTERNATE INGRESS/EGRESS ROUTE  
 ALTERNATE INGRESS/EGRESS ROUTE

INGRESS / EGRESS MAP

3RT SAND MINE  
N.E. 110TH AVENUE  
BRONSON, LEVY COUNTY, FLORIDA

DNM ENGINEERING &  
ASSOCIATES, INC.

P.O. BOX 42  
(352) 624-2068  
OCALA, FLORIDA 34478  
FAX (352) 622-6643  
CAN: 9724

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	15 MAY 23	ORIGINAL ISSUE

Project No. 22-084

**I / E**

Sheet 1 Of 1







# Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)  
On the Internet at: [WaterMatters.org](http://WaterMatters.org)

An Equal  
Opportunity  
Employer

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)

**Sarasota Service Office**  
78 Sarasota Center Boulevard  
Sarasota, Florida 34240-9770  
(941) 377-3722 or  
1-800-320-3503 (FL only)

**Tampa Service Office**  
7601 Highway 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)

December 22, 2022

Ryan Thomas  
11151 NE 35th St  
Bronson, FL 32621

Subject: **Notice of Intended Agency Action - Approval  
ERP Individual Construction**  
Project Name: 3RT Sand Mine  
App ID/Permit No: 857006 / 43046299.000  
County: Levy  
Sec/Twp/Rge: S36/T12S/R17E, S02/T13S/R17E, S35/T12S/R17E

Dear Permittee(s):

The Southwest Florida Water Management District (District) has completed its review of the application for Environmental Resource Permit. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at <http://www18.swfwmd.state.fl.us/erp/erp/search/ERPSearch.aspx> and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

David Kramer, P.E.  
Bureau Chief  
Environmental Resource Permit Bureau  
Regulation Division

cc: Orlando Rivera  
Douglas VanDeursen P.E., DNM Engineering & Assoc., Inc.



An Equal  
Opportunity  
Employer

## Southwest Florida Water Management District

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County: Levy  
Sec/Twp/Rge: S36/T12S/R17E, S02/T13S/R17E, S35/T12S/R17E

Dear Permittee(s):

The Southwest Florida Water Management District (District) is in receipt of your application for the Environmental Resource Permit. Based upon a review of the information you submitted, the application is approved.

Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

If approved construction plans are part of the permit, construction must be in accordance with these plans. These drawings are available for viewing or downloading through the District's Application and Permit Search Tools located at [www.WaterMatters.org/permits](http://www.WaterMatters.org/permits).

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at [www.WaterMatters.org/permits/noticing](http://www.WaterMatters.org/permits/noticing). If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.



If you have any questions or concerns regarding your permit or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

David Kramer, P.E.  
Bureau Chief  
Environmental Resource Permit Bureau  
Regulation Division

Enclosures:   Approved Permit w/Conditions Attached  
                  [As-Built Certification and Request for Conversion to Operation Phase](#)  
                  Notice of Authorization to Commence Construction  
                  Notice of Rights

cc:             Orlando Rivera  
                  Douglas VanDeursen P.E., DNM Engineering & Assoc., Inc.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
ENVIRONMENTAL RESOURCE  
INDIVIDUAL CONSTRUCTION  
PERMIT NO. 43046299.000**

**EXPIRATION DATE:** December 22, 2027

**PERMIT ISSUE DATE:** December 22, 2022

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapter 62-330, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

**PROJECT NAME:** 3RT Sand Mine  
**GRANTED TO:** Ryan Thomas  
11151 NE 35th St  
Bronson, FL 32621

**OTHER PERMITTEES:** N/A

**ABSTRACT:** This permit authorization is for the construction of a 400-acre borrow pit project. The proposed activities include the construction of a borrow area as named above and as shown on the approved construction drawings. This includes a buffer around the property to allow offsite flows to be accommodated. The excavation will occur above the seasonal high water table and there is no impervious area proposed. Information regarding the stormwater management system, 100-year floodplain, wetlands and/or surface waters is stated below and on the permitted construction drawings for the proposed project. The project is located on the south side of NE 50th St, west of NE 121st Ave, in Levy County.

**OP. & MAIN. ENTITY:** Ryan Thomas  
**OTHER OP. & MAIN. ENTITY:** N/A  
**COUNTY:** Levy  
**SEC/TWP/RGE:** S36/T12S/R17E, S02/T13S/R17E, S35/T12S/R17E  
**TOTAL ACRES OWNED  
OR UNDER CONTROL:** 540.54  
**PROJECT SIZE:** 400.00 Acres  
**LAND USE:** Mining  
**DATE APPLICATION FILED:** September 20, 2022  
**AMENDED DATE:** N/A



**I. Water Quantity/Quality**

Water Quantity/Quality Comment:

The proposed borrow area will include a 100-foot setback around the 400-acre site to maintain historic drainage patterns. There is no impervious area proposed. Therefore, water quantity attenuation and water quality treatment are not required.

The plans and calculations reflect the North American Vertical Datum of 1988 (NAVD 88).  
A mixing zone is not required.  
A variance is not required.

**II. 100-Year Floodplain**

Encroachment (Acre-Feet of fill)	Compensation (Acre-Feet of excavation)	Compensation Type	Encroachment Result* (feet)
0.00	0.00	No Encroachment	N/A

Floodplain Comment:

The project proposes no fill placement within a known 100-year riverine floodplain or depression storage areas associated with the 100-year, 24-hour event.

\*Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims Minimal Impact type of compensation.

**III. Environmental Considerations**

No wetlands or other surface waters exist within the project area.



## Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit may be terminated, unless the terms of the permit are modified by the District or the permit is transferred pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
2. The Permittee shall retain the design professional registered or licensed in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the design professional so employed. This information shall be submitted prior to construction.
3. If limestone bedrock is encountered during construction of the stormwater management system, the District must be notified and construction in the affected area shall cease.
4. The Permittee shall notify the District of any sinkhole development in the stormwater management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.
5. The Permitted Plan Set for this project includes the set received by the District on December 05, 2022.
6. District staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the District as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.
7. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District.
8. The permittee shall complete construction of all aspects of the stormwater management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.
9. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
  - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
  - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
  - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.
10. All stormwater management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.
11. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.
12. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the



approved project area(s), may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

13. 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](mailto:FWCConservationPlanningServices@MyFWC.com).
14. A "Recorded notice of Environmental Resource Permit," Form No. 62-330.090(1), shall be recorded in the public records of the County(s) where the project is located.

**GENERAL CONDITIONS**

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

**David Kramer, P.E.**

---

Authorized Signature






## EXHIBIT A

### GENERAL CONDITIONS:

- 1 The following general conditions are binding on all individual permits issued under this chapter, except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate, project-specific conditions.
  - a. 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., or the permit may be revoked and the permittee may be subject to enforcement action.
  - b. 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 Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
  - c. 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 subparagraph 62-330.050(8)(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.
  - d. 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,"[effective date], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505> ), 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. 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.
  - e. 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.
  - f. 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:
    1. 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
    2. For all other activities - "As-Built Certification and Request for Conversion to Operation Phase" [Form 62-330.310(1)].
    3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
  - g. If the final operation and maintenance entity is a third party:



1. 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 12.3.4 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.
  2. 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 and Maintenance 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.
- h. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
- i. This permit does not:
1. 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.;
  2. Convey to the permittee or create in the permittee any interest in real property;
  3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
  4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
- j. 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 Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
- k. The permittee shall hold and save the Agency 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.
- l. The permittee shall notify the Agency in writing:
1. Immediately if any previously submitted information is discovered to be inaccurate; and
  2. 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.
- m. Upon reasonable notice to the permittee, Agency 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.
- n. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving



subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work 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 notification shall be provided in accordance with Section 872.05, F.S. (2012).

- o. 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.
  - p. 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.
  - q. 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 Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
  - r. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
2. In addition to those general conditions in subsection (1) above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in Rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

SOUTHWEST FLORIDA  
WATER MANAGEMENT DISTRICT

**NOTICE OF  
AUTHORIZATION  
TO COMMENCE CONSTRUCTION**

3RT Sand Mine

PROJECT NAME

Mining

PROJECT TYPE

Levy

COUNTY

S36/T12S/R17E, S02/T13S/R17E, S35/T12S/R17E

SEC(S)/TWP(S)/RGE(S)

Ryan Thomas

PERMITTEE

APPLICATION ID/PERMIT NO: 857006 / 43046299.000

DATE ISSUED: December 22, 2022



David Kramer, P.E.

Issuing Authority

**THIS NOTICE SHOULD BE CONSPICUOUSLY  
DISPLAYED AT THE SITE OF THE WORK**

## Notice of Rights

### ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of state-owned submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at [www.flrules.org](http://www.flrules.org) or at the District's website at [www.WaterMatters.org/permits/rules](http://www.WaterMatters.org/permits/rules).
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at [www.WaterMatters.org/about](http://www.WaterMatters.org/about).



## **JUDICIAL REVIEW**

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
  
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.



3RT SAND MINE - NOTICE OF INTENT TO MINE OR MINING OTHER RESOURCES



me

miningandmitigation@floridadep.gov


4/11/2023 12:07 PM

From me

[dnmengineering@embarqmail.com](mailto:dnmengineering@embarqmail.com)

To [miningandmitigation@floridadep.gov](mailto:miningandmitigation@floridadep.gov)

Cc [rbthomas75@gmail.com](mailto:rbthomas75@gmail.com)

-  3RT Sand Mine DEP Other Resources Form 1 4-10-2023.pdf (2 MB)
- 3RT Sand Mine SWFWMD Permit.pdf (134 KB)
- 3RT Sand Mine Revised Engineering Plans 12-5-2022.pdf (8 MB)
- 3RT Sand Mine Engineering Report 3-2-2023.pdf (8 MB)

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Mining & Mitigation Department,

As per our discussions with Chris Suarez, ES III, please find attached for review the following documents with regards to the proposed 3RT Sand Mine in Section 35, Township 12 South, Range 17 East at in Bronson, Levy County, Florida:

- 1) Executed DEP Other Resources Form 1 - Notice of Intent to Mine or Mining Other Resources
- 2) 3RT Sand Mine SWFWMD ERP No.: 43046299.000
- 3) 3RT Sand Mine Revised Engineering Plans 12-5-2022
- 4) 3RT Sand Mine Engineering Report 3-3-2023

Please advise if you have any questions or require any additional information, please feel free to contact our office.

Thanks and have a great day!

Sincerely,

***Douglas A. VanDeursen, P.E.***

President

DNM Engineering & Associates, Inc.

P.O. Box 42

Ocala, Florida 34478

Office: 352-624-2068

Cell: 352-572-6347

Email: [dnmengineering@embarqmail.com](mailto:dnmengineering@embarqmail.com)



***ENVIRONMENTAL RESOURCE  
PERMIT APPLICATION***

***FOR***

***3RT SAND MINE***

***LOCATED AT:***

***SECTION 35, TOWNSHIP 12 EAST, RANGE 17 SOUTH  
BRONSON, LEVY COUNTY, FLORIDA***

***Prepared for:***

***Ryan B. Thomas,, Owner  
11151 Northeast 35th Street  
Bronson, Florida 32621  
(352) 258-9547  
Email: rbthomas75@gmail.com***

***Prepared by***



***P.O. Box 42  
Ocala, Florida 34478  
Office: 352-624-2068***

***March 2023***

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# CERTIFICATIONS

## ENGINEER:

DNM Engineering & Associates, Inc.  
 Douglas A. VanDeursen, P.E.  
 P.O. Box 42  
 Ocala, Florida 34478  
 Office: (352) 624-2068  
 Fax: (352) 622-6643  
 Email: dnmengineering@embarqmail.com

As the Professional Engineer responsible for preparation of this report, the undersigned certifies that the information contained in this report is true and correct to the best of his knowledge, the report was prepared in accordance with sound engineering principles and complies with Chapter 62-330, F.A.C. and the Environmental Resource Permit Applicant's Handbook Volumes I and II.

Signature of Engineer: \_\_\_\_\_

Date: \_\_\_\_\_



This item has been digitally signed and sealed by Douglas A. VanDeursen, P.E. on 3-2-2023 using an "SHA" Authentication Code.

Printed copies of this document are not considered signed and sealed and the "SHA" authentication code must be verified on any electronic copies.

## INTRODUCTION

### GENERAL

Ryan B. Thomas, property owner, is applying for an Environmental Resource Permit (ERP) to operate a proposed sand mine on Levy County Parcel I.D. Nos.: 0359701600, 0359700400, 0359700000, and 0359700300 located off of Northeast 110<sup>th</sup> Avenue in Bronson, Levy County, Florida. The past and current use of the subject project property is agricultural with existing infrastructure in place (limerock access road, irrigation wells, irrigation pivot, etc.) to allow for the necessary equipment for the proposed mining activities. The proposed mining project area will encompass 400+/- acres.

The proposed 3RT Sand Mine is expected to have a life span of over 50 years. Mining excavations will occur within designated mining blocks at depths ranging in three (3) to four (4) intervals with total excavations depths ranging from four (4) feet to twenty-four (24) feet as the depth of mining may vary depending upon the quality of the materials. Mined materials will be hauled off-site via 16 yard hauling trucks and hauling routes will vary depending upon the specific client. Upon completion of mining activities, the project site will be reclaimed to its original agricultural use.

Ingress/Egress to/from the proposed project area will be controlled by an existing access road located to the south and providing access to Northeast 30<sup>th</sup> Street as shown on the Ingress/Egress Map in Appendix A. No other buildings or impervious surfaces are proposed to be constructed on the subject property.

### PERMITTEE

The following is the permittee information for the proposed project and the responsible authority for operation and maintenance:

Owner:	<b>Ryan B. Thomas</b>
Mailing Address:	<b>11151 Northeast 35<sup>th</sup> Street</b>
City, State, Zip:	<b>Bronson, Florida 32621</b>
Office Number:	<b>(352) 258-9547</b>
Email Address:	<b><a href="mailto:rbthomas75@gmail.com">rbthomas75@gmail.com</a></b>

### FLOODPLAIN

According to the FEMA Flood Insurance Rate Map (FIRM) No.: 12075CO215F, effective 11/2/2012, the proposed project area is not located within an established flood plain. Please refer to Appendix C for a copy of the FEMA FIRM Map.

## **WETLANDS**

During the proposed mining activities, no wetlands will be impacted.

## **DESIGN & METHODOLOGY**

### ***WATER TABLE INVESTIGATION***

The project site is located in Candler and Astatula Fine Sands, which are classified as well drained sandy soils, as shown on the soils map included in Appendix B.

Additionally, potentiometric surface DIS data was reviewed from the Florida Geological Survey and in the 2015 contours, the potentiometric surface is indicated to be at an elevation of 50 feet along the subject property. Based upon the Geotechnical Report prepared by Geo-Tech, Inc. on July 28, 2022 and included in Appendix F, the estimated seasonal high water table was estimated to be at an elevation of 73+/- feet. The proposed plan set shows that excavation shall not occur within 3 feet of the estimated seasonal high water table (elevation of approximately 76.0+/- feet).

### ***WATER QUALITY & QUANTITY***

The pre-development surface flow pattern will be maintained during mining activities. Stormwater Best Management Practices (BMP) includes to maintain a proposed 100 feet setback/buffer from existing property boundaries to allow for any off-site drainage to continue pre-developed paths which ultimately sheet flows to Sand Pond located to the Southwest of the project area. No additional water quality measures are proposed for the proposed project area as any runoff within the proposed project area will be contained on-site during mining activities and since there are no proposed impervious areas to be constructed on-site, the stormwater runoff rate also will not increase as a result of the proposed mining activities.

### ***EROSION CONTROL & DEWATERING***

The proposed BMP includes to maintain a proposed 100 feet setback/buffer from existing property boundaries to prevent any sediment from washing off-site. No dewatering activities are anticipated for the proposed project. Water trucks will be utilized as necessary for dust control.

### **OPERATION & MAINTENANCE**

The property owner will operate and maintain the stormwater management system as designed. The property owner will inspect the proposed setback/buffer areas once a week as necessary to assure no runoff flowing off-site. Any erosion will be restored to original design condition.

### **UTILITIES**

No water or wastewater utilities are proposed for the proposed project. Portable toilets will be provided on-site and maintained by the portable toilet company as necessary.

### **APPENDICIES**

Appendix A – Ingress/Egress Map

Appendix B – Soils Map

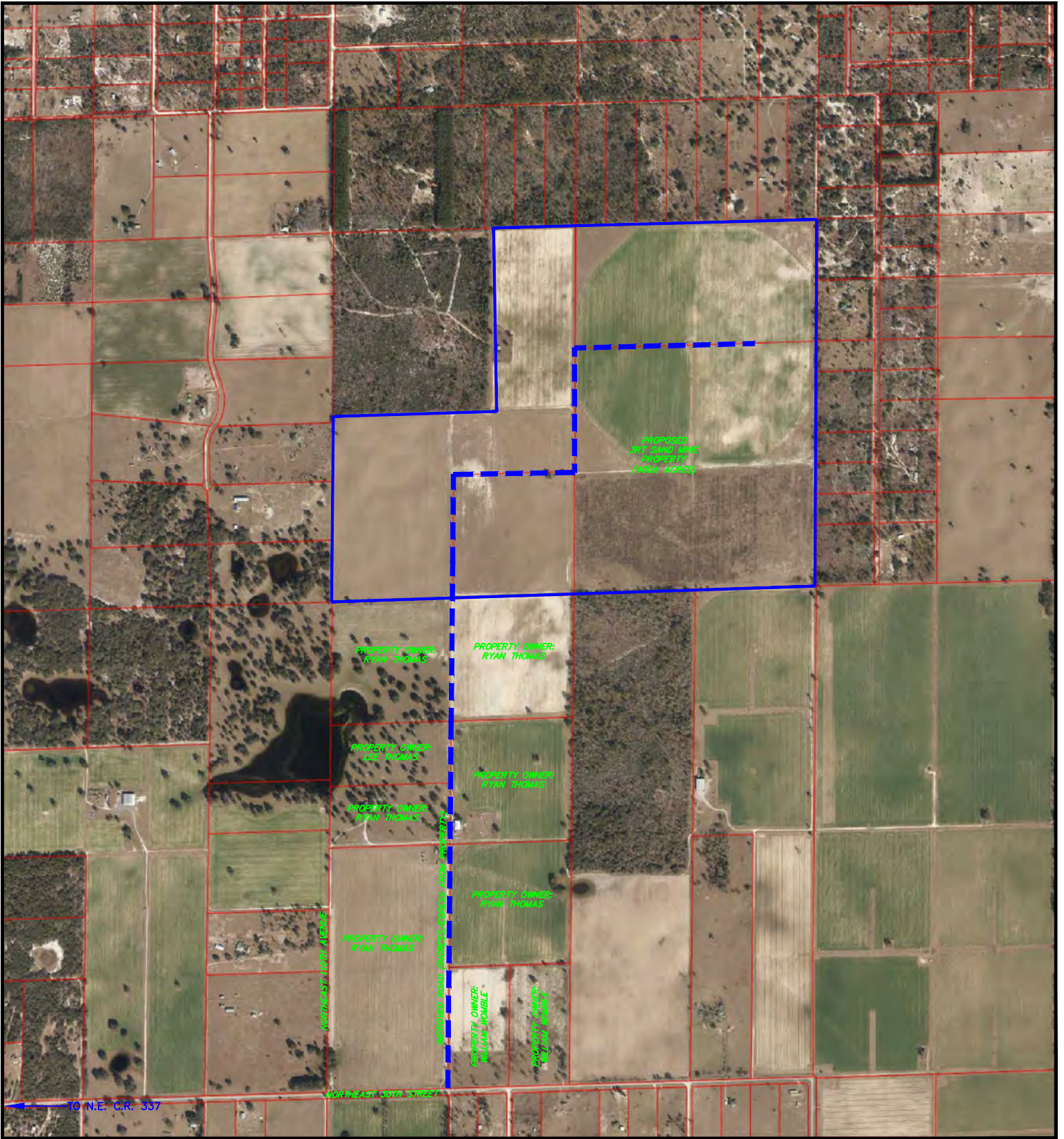
Appendix C – FEMA FIRM Map

Appendix D – Geotechnical Report



*APPENDIX A*

*INGRESS / EGRESS MAP*



  
**3RT SAND MINE**  
**INGRESS / EGRESS MAP**  
 NORTH  
 1"=1,500'  
**BRONSON, LEVY COUNTY, FLORIDA**

**DNM ENGINEERING & ASSOCIATES, INC.**  


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 P.O. BOX 42  
 OCALA, FLORIDA 34478  
 FAX (352) 622-6643  
 (352) 624-2068

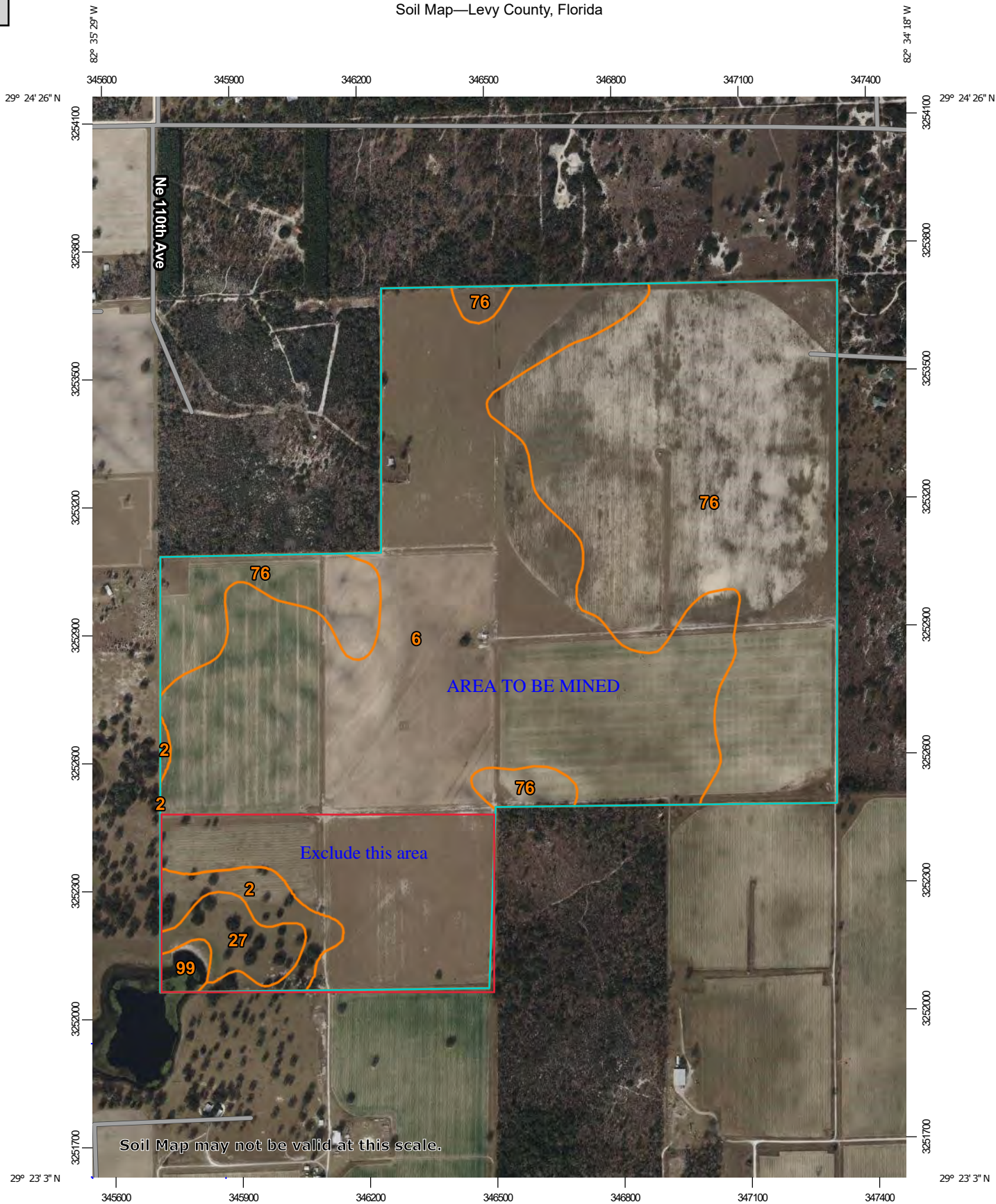




***APPENDIX B***

***SOILS MAP***

Soil Map—Levy County, Florida



Map Scale: 1:12,400 if printed on A portrait (8.5" x 11") sheet.

0 150 300 600 900 Meters


0 500 1000 2000 3000 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84



### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)




















**Soils**


 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

**Special Point Features**






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Levy County, Florida  
 Survey Area Data: Version 17, Aug 30, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 9, 2022—Feb 10, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2	Tavares fine sand, 1 to 5 percent slopes	12.7	2.6%
6	Candler fine sand, 1 to 5 percent slopes	270.7	55.8%
27	Placid and Popash soils, depressional	10.4	2.1%
76	Astatula fine sand, 1 to 8 percent slopes	188.6	38.8%
99	Water	3.1	0.6%
<b>Totals for Area of Interest</b>		<b>485.4</b>	<b>100.0%</b>

## Levy County, Florida

### 6—Candler fine sand, 1 to 5 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2ttl5

*Elevation:* 50 to 150 feet

*Mean annual precipitation:* 56 to 64 inches

*Mean annual air temperature:* 66 to 73 degrees F

*Frost-free period:* 254 to 284 days

*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Candler and similar soils:* 85 percent

*Minor components:* 15 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Candler

##### Setting

*Landform:* Ridges on marine terraces, knolls on marine terraces

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Eolian deposits and/or sandy and loamy marine deposits

##### Typical profile

*A - 0 to 6 inches:* fine sand

*E - 6 to 60 inches:* fine sand

*E and Bt - 60 to 80 inches:* fine sand

##### Properties and qualities

*Slope:* 1 to 5 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Excessively drained

*Runoff class:* Negligible

*Capacity of the most limiting layer to transmit water (Ksat):* High to very high (5.95 to 19.98 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

*Sodium adsorption ratio, maximum:* 4.0

*Available water supply, 0 to 60 inches:* Very low (about 2.5 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 4s

*Hydrologic Soil Group:* A

*Forage suitability group:* Sandy soils on ridges and dunes of xeric uplands (G154XB111FL)

*Other vegetative classification:* Sandy soils on ridges and dunes of xeric uplands (G154XB111FL)

*Hydric soil rating:* No

### **Minor Components**

#### **Apopka**

*Percent of map unit:* 3 percent

*Landform:* Ridges on marine terraces, knolls on marine terraces

*Landform position (three-dimensional):* Side slope, interfluvium

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on ridges and dunes of xeric uplands (G154XB111FL)

*Hydric soil rating:* No

#### **Millhopper**

*Percent of map unit:* 3 percent

*Landform:* Flats on marine terraces, rises on marine terraces

*Landform position (three-dimensional):* Interfluvium

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises, knolls, and ridges of mesic uplands (G154XB121FL)

*Hydric soil rating:* No

#### **Adamsville**

*Percent of map unit:* 3 percent

*Landform:* Rises on marine terraces, knolls on marine terraces

*Landform position (three-dimensional):* Interfluvium, talus

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises and knolls of mesic uplands (G154XB131FL)

*Hydric soil rating:* No

#### **Placid, depressional**

*Percent of map unit:* 2 percent

*Landform:* Depressions on marine terraces

*Landform position (three-dimensional):* Dip

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Other vegetative classification:* Sandy soils on stream terraces, flood plains, or in depressions (G154XB145FL)

*Hydric soil rating:* Yes

#### **Sparr**

*Percent of map unit:* 2 percent

*Landform:* Rises on marine terraces, flats on marine terraces

*Landform position (three-dimensional):* Rise

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises and knolls of mesic uplands (G154XB131FL)

*Hydric soil rating:* No

**Popash**

*Percent of map unit:* 2 percent

*Landform:* Depressions on marine terraces

*Landform position (three-dimensional):* Dip

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Other vegetative classification:* Sandy soils on stream terraces, flood plains, or in depressions (G154XB145FL)

*Hydric soil rating:* Yes

## Data Source Information

Soil Survey Area: Levy County, Florida

Survey Area Data: Version 17, Aug 30, 2021

## Levy County, Florida

### 76—Astatula fine sand, 1 to 8 percent slopes

#### Map Unit Setting

*National map unit symbol:* 1jghr  
*Elevation:* 30 to 150 feet  
*Mean annual precipitation:* 56 to 64 inches  
*Mean annual air temperature:* 66 to 73 degrees F  
*Frost-free period:* 254 to 284 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Astatula and similar soils:* 96 percent  
*Minor components:* 4 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Astatula

##### Setting

*Landform:* Hills on marine terraces, ridges on marine terraces  
*Landform position (three-dimensional):* Side slope, interflue  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Eolian or sandy marine deposits

##### Typical profile

*A - 0 to 5 inches:* fine sand  
*C - 5 to 80 inches:* fine sand

##### Properties and qualities

*Slope:* 1 to 8 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Excessively drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* Very high (19.98 to 50.02 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Sodium adsorption ratio, maximum:* 4.0  
*Available water supply, 0 to 60 inches:* Very low (about 2.5 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 6s  
*Hydrologic Soil Group:* A  
*Forage suitability group:* Sandy soils on ridges and dunes of xeric uplands (G152AA111FL)



*Other vegetative classification:* Sandy soils on ridges and dunes of xeric uplands (G152AA111FL)

*Hydric soil rating:* No

### **Minor Components**

#### **Placid, depressional**

*Percent of map unit:* 1 percent

*Landform:* Depressions on marine terraces

*Landform position (three-dimensional):* Dip

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Other vegetative classification:* Sandy soils on stream terraces, flood plains, or in depressions (G152AA145FL)

*Hydric soil rating:* Yes

#### **Apopka**

*Percent of map unit:* 1 percent

*Landform:* Knolls on marine terraces, ridges on marine terraces

*Landform position (three-dimensional):* Side slope, interflue

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on ridges and dunes of xeric uplands (G152AA111FL)

*Hydric soil rating:* No

#### **Sparr**

*Percent of map unit:* 1 percent

*Landform:* Flats on marine terraces, rises on marine terraces

*Landform position (three-dimensional):* Rise

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises and knolls of mesic uplands (G152AA131FL)

*Hydric soil rating:* No

#### **Millhopper**

*Percent of map unit:* 1 percent

*Landform:* Flats on marine terraces, rises on marine terraces

*Landform position (three-dimensional):* Interflue

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises, knolls, and ridges of mesic uplands (G152AA121FL)

*Hydric soil rating:* No

## **Data Source Information**

Soil Survey Area: Levy County, Florida

Survey Area Data: Version 17, Aug 30, 2021



*APPENDIX C*

*FEMA FLOOD MAP*

**NOTES TO USERS**

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Floodway Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations** shown on this map apply only landward of 0.7 North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for the jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Florida State Plane HARP WEST zone. The **horizontal datum** was NAD 83. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NOAA, NNGS12  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

**Base map** information shown on this FIRM was derived from Florida Department of Transportation Digital Orthomagey produced at a resolution of 1 foot from photography dated March, 2006.

Based on updated topographic information, this map reflects more detailed and up-to-date stream channel configurations and floodplain delineations than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

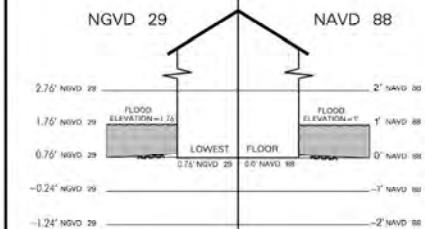
**Corporate limits** shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses, and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://msc.fema.gov>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/ifm>.

**DATUM CONVERSION SCHEMATIC**



This Flood Insurance Rate Map was developed in cooperation between Federal Emergency Management Agency and Southwest Florida Water Management District and Suwannee River Water Management District.



**LEGEND**

- SPECIAL FLOOD HAZARD AREAS SUBJECT BY THE 1% ANNUAL CHANCE FLOOD**  
The 1% annual flood (100-year flood), also known as the base flood, is if chance of being equaled or exceeded in any given year. The Special Flood Hazard Area subject to flooding by the 1% annual chance flood. Areas of Special Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation of the 1% annual chance flood.
- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of elevations determined).
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on all depths determined. For areas of alluvial fans is determined).
- ZONE AR** Special Flood Hazard Area formerly protected from flood by a flood control system that was subsequently indicates that the former flood control system is no longer in place and the area is no longer protected from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance for protection system under construction; no is determined.
- ZONE V** Coastal flood zone with velocity hazard (wave elevations determined).
- ZONE VE** Coastal flood zone with velocity hazard (wave elevations determined).
- FLOODWAY AREAS IN ZONE AE**  
The floodway is the channel of a stream plus any adjacent floodplain areas of encroachment so that the 1% annual chance flood can be carried within in flood heights.
- OTHER FLOOD AREAS**  
**ZONE X** Areas of 0.2% annual chance flood; areas of 1% an average depths of less than 1 foot or with drain 1 square mile; and areas protected by levees from 1<sup>2</sup>
- OTHER AREAS**  
**ZONE X** Areas determined to be outside the 0.2% annual chance flood hazard areas.  
**ZONE D** Areas in which flood hazards are undetermined, but...
- COASTAL BARRIER RESOURCES SYSTEM (CBRS)**  
**OTHERWISE PROTECTED AREAS (OPAs)**  
CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas
- Boundary dividing Special Flood Hazard Areas, flood depths or flood velocities
- Base Flood Elevation line and value; elevation (EL 587)
- Base Flood Elevation value where uniform in feet\*

\* Referenced to the North American Vertical Datum of 1988

- Cross section line
- Transect line
- Geographic coordinates referenced to 1 Datum of 1983 (NAD 83), Western Hemisphere
- 1000-meter Universal Transverse Mercator
- 5000-foot grid values: Florida State Plane West zone (FIPSZONE 9902), Transverse 7
- Bench mark (see explanation in Notes to Users panel)
- River Mile

MAP REPOSITORY  
Refer to listing of Map Repositories on Map Index  
EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP  
November 2, 2012  
EFFECTIVE DATES OF REVISIONS TO THIS MAP

For community map revision history prior to countywide mapping, refer to Map History table located in the Flood Insurance Study report for this jurisdiction.  
To determine if flood insurance is available in this community, contact agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'  
0 500 1000 2000  
0 300 600

**NFIP** PANEL 021  
**FIRM**  
FLOOD INSURANCE  
LEVY COUNTY, FLORIDA AND INCORPORATED  
PANEL 215 OF 682 (SEE MAP INDEX FOR FIRM)  
CONTAINS:  
COMMUNITY NUMBER  
BRONSON, TOWN OF 12058  
LEVY COUNTY 120145  
Notice to User: The Map Number used when placing map orders. It should be used on your subject community.  
  
**EFF NOVE**  
Federal Emergency Man



*APPENDIX D*

*GEOTECHNICAL REPORT*



ENGINEERING CONSULTANTS IN GEOTECHNICAL • ENVIRONMENTAL • CONSTRUCTION MATERIALS TESTING

July 28, 2022  
Project No. 22-9204.01.1

Ryan Thomas  
3RT Packing and Services, LLC  
11151 NE 35<sup>th</sup> Street  
Bronson, Florida 32621

Reference: Proposed Sand Mine, NE 110<sup>th</sup> Avenue, Bronson, Florida  
**Soil Borings and Laboratory Testing**

Dear Mr. Thomas:

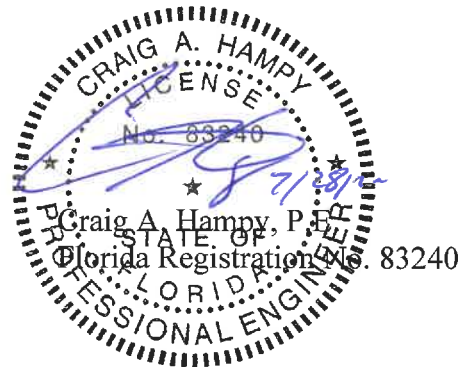
Geo-Technologies, Inc. (Geo-Tech) performed a site exploration at the project site per your request. Services were conducted in accordance with our Proposal No. 12557 dated June 14, 2022.

Our findings and evaluations are presented in the following report. Generally accepted soils and foundation engineering practices were employed in the preparation of this report.

Geo-Tech appreciates the opportunity to provide our services for this project. Should you have any questions regarding the contents of this report or if we may be of further assistance, please do not hesitate to contact the undersigned.

Sincerely,

Gerald W. Green, Jr.  
Soil & Water Scientist  
GWG/CAH/lso



## **Purposes**

Purposes of this exploration were to characterize subsurface soils conditions at the site and to provide our findings and evaluations.

## **Site Description**

The site is located at Parcel No. 0359700000, 0359700300, 0359700400 and 0359701600 on the east side of NE 110<sup>th</sup> Avenue in Bronson, Florida. The site was covered with native trees and grasses at the time of drilling.

## **Exploration Program**

Field exploration services for the geotechnical exploration consisted of the following:

- Twenty (20) direct push borings (B-1 thru B-6, B-8 thru B-12, B-14 thru B-17 and B-19 thru B-23) to depths of approximately thirty (30) feet below existing site grade (ASTM D-6282). Direct Push borings were performed on July 8, 2022
- Three (3) Standard Penetration Test (SPT) borings (B-7, B-13 and B-18) to depths of approximately sixty (60) feet below existing site grade (ASTM D-1586). SPT borings were performed on July 25, 2022.

## **Sampling & Testing Descriptions**

### **Gradation (-200) Testing**

A specimen of soil is washed over a seventy-five (75)  $\mu\text{m}$  (No. 200) sieve. Clay and other particles that are dispersed by the wash water, as well as water-soluble materials, are removed from the soil during the test. The loss in mass resulting from the wash treatment is calculated as mass percent of the original sample and is reported as the percentage of material finer than a seventy-five (75)  $\mu\text{m}$  (No. 200) sieve by washing.

### **Direct Push Sampling**

Direct Push (DP) soil sampling method (ASTM D-6282) consists of advancing a sampling device into subsurface soils by applying static pressure, by applying impacts, or by applying vibration, or any combination thereof, to the above ground portion of the sampler extensions until sampler has been advanced to the desired sampling depth. The sampler is recovered from the borehole and the sample removed from the sampler. The sampler is cleaned and the procedure repeated for the next desired sampling interval.

Sampling can be continuous for full depth borehole logging or incremental for specific interval sampling. Samplers used can be protected type for controlled specimen gathering or unprotected for general soil specimen collection. Direct push methods of soil sampling are used for geologic investigation, soil chemical composition studies, and water quality investigations. Continuous sampling is used to provide a lithological detail of the subsurface strata and to gather samples for classification and index.

Samples recovered during performance of our direct push borings were visually classified in the field and were transported to our laboratory for further analysis.

### **Standard Penetration Testing**

A Standard Penetration Test (SPT) boring (ASTM D-1586) is defined as a standard split-barrel sampler driven into the soil by a one hundred and forty (140) pound hammer falling thirty (30) inches. The number of blows required to drive the sampler one (1) foot, after seating six (6) inches, is designated resistance, or “N”-Value is an index to soil strength and consistency.

Samples recovered during performance of our SPT borings were visually classified in the field and representative portions of the samples were placed in containers and transported to our laboratory for further analysis.

### **Findings**

General subsurface conditions found in our soil borings are graphically presented on the soil profiles in Appendix I. Horizontal lines designating the interface between differing materials found represent approximate boundaries. Transition between soil layers is typically gradual.

Soil found in our direct push borings B-1, B-2, B-3 and B-22 generally consisted of a surficial layer of fine sand to the depths drilled.

Soils found in direct push borings B-4, B-5, B-6, B-8 thru B-12, B-14, B-15, B-19, B-20 and B-21 generally consisted of a surficial layer of fine sand ranging from approximately six and one-half (6 ½) to twenty-nine (29) feet thick underlain by clayey sand to the depths drilled.

Soils found in direct push borings B-16 and B-17 generally consisted of a surficial layer of fine sand ranging from approximately fourteen and one-half (14 ½) to twenty-six (26) feet thick underlain by clayey sand and slightly sandy clay to the depths drilled.

Soils found in direct push boring B-23 generally consisted of a surficial layer of fine sand approximately twelve and one-half (12 ½) feet thick underlain by clayey sand and fine sand to the depth drilled.

Soils found in SPT boring B-7 generally consisted of a surficial layer of very loose to medium dense fine sand approximately eighteen and one-half (18 ½) feet thick underlain by medium dense to dense clayey sand to the depth drilled.

Soils found in SPT borings B-13 and B-18 generally consisted of a surficial layer of very loose to very dense fine sand ranging from approximately twenty (20) to twenty-eight and one-half (28 ½) feet thick underlain by medium dense to very dense clayey sand and very dense fine sand to the depths drilled.

Ground water table levels were not found in our borings at the time of drilling.

### **Gradation (-200) Testing Results**

Fine sand and clayey sand soils found at our boring locations yielded passing fines ranging from one (1) to thirty-six (36) percent on the samples tested. We refer the reader to the attached soil profiles for the various soils found.

### **Evaluations**

Fine sand soils found in our borings appear to be suitable to be utilized for conventional foundation systems and pavement construction based on our findings.

Clayey sand and slightly sandy clay soils found in our borings appear to be unsuitable to be utilized for conventional foundation systems and pavement construction based on our findings. However, these clayey sand soils can be utilized in other non-structural grading.

### **Closure/General Qualifications**

This report has been prepared in order to aid evaluation of the subject site. The scope is limited to the specific project and the location described herein.

Findings and evaluations submitted in this report are based upon the data obtained from the soil borings performed at the locations indicated on the Boring Location Map, and from any other information discussed in this report. This report does not reflect any variations, which may occur between these borings. In the performance of subsurface investigations, specific information is obtained at specific locations at specific times. Variations in soil and rock conditions exist on most sites between boring locations. Groundwater levels may also vary from time to time.





**APPENDIX I**  
**SOIL PROFILES**

## Log of Borehole: B-1

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5					
6					
7					
8					
9					
10					
11			% PASS -200 AT APPROX. 10.0 FEET = 1		
12					
13					
14					
15					1
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30				30.0	
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 1 OF 23

## Log of Borehole: B-2

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks	
0		Ground Surface	0.0			
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)				
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15					1	
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30			30.0			
31		End of Borehole				
32						

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 2 OF 23

## Log of Borehole: B-3

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					1
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 3 OF 23

## Log of Borehole: B-4

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

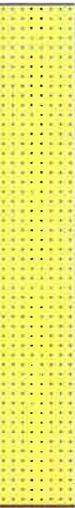

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30		End of Borehole	30.0		
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 4 OF 23

## Log of Borehole: B-5

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5					
6				1	
7					
8					
9					
10		% PASS -200 AT APPROX. 10.0 FEET = 1.9	10.5		
11		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)			
12					
13					
14					
15		% PASS -200 AT APPROX. 15.0 FEET = 24			
16					
17					
18					
19					
20				2	
21					
22					
23					
24					
25					
26					
27					
28					
29			30.0		
30		End of Borehole			
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 5 OF 23

## Log of Borehole: B-6

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL



Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	10.5	2	
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30		End of Borehole	30.0		
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 6 OF 23

## Log of Borehole: B-7

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test	
								N-Values	
0		Ground Surface		0.0					
0-18.5		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)	HAND AUGERED						
1			VERY LOOSE		1		3	▲	3
2			LOOSE		2		4	▲	4
3			LOOSE		3		6	▲	6
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14			MEDIUM DENSE		4		14	▲	14
15									
16									
17									
18				18.5					
19		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	MEDIUM DENSE		5		18	▲	18
20									
21									
22									
23									
24			MEDIUM DENSE		6		22	▲	22
25									
26									
27									
28									
29			DENSE		7		31	▲	31
30									
31									
32									

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 7 OF 23



## Log of Borehole: B-7

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test N-Values
33	[Symbol]							
34			MEDIUM DENSE		8		22	▲ 22
35								
36								
37								
38								
39			MEDIUM DENSE		9		24	▲ 24
40								
41								
42								
43								
44			MEDIUM DENSE		10		28	▲ 28
45								
46								
47								
48								
49		MEDIUM DENSE		11		25	▲ 25	
50								
51								
52								
53								
54								
55		DENSE		12		30	▲ 30	
56								
57								
58								
59								
60			DENSE	60.0	13		30	▲ 30
61		End of Borehole						
62								
63								
64								

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 7 OF 23

## Log of Borehole: B-8

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL



Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31		End of Borehole	30.0		
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 8 OF 23

## Log of Borehole: B-9

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

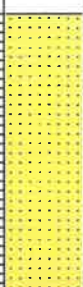

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5			% PASS -200 AT APPROX. 5.0 FEET = 4.2		
6					
7					7.5
8		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
9					
10					
11			% PASS -200 AT APPROX. 10.0 FEET = 36		
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					30.0
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 9 OF 23

## Log of Borehole: B-10

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

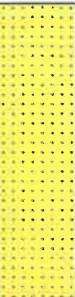

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8			8.0		
9		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 10 OF 23

## Log of Borehole: B-11

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

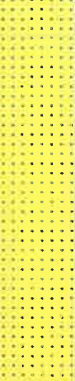

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	10.5	2	
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30		End of Borehole	30.0		
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 11 OF 23

## Log of Borehole: B-12

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

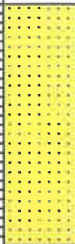

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	6.5	2	
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30		End of Borehole	30.0		
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 12 OF 23

## Log of Borehole: B-13

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test	
								N-Values	
0		Ground Surface		0.0					
0 - 20		<b>FINE SAND</b> BROWN FINE SAND (SP)	HAND AUGERED						
1			VERY LOOSE		1		3	3	
2			LOOSE		2		4	4	
3			LOOSE		3		4	4	
4			MEDIUM DENSE		4		10	10	
5			MEDIUM DENSE	20.0	5		20	20	
6			MEDIUM DENSE		6		27	27	
7			VERY DENSE	28.5	7		56	56	
20 - 29		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)							
29 - 32		<b>FINE SAND</b> LIGHT GREY FINE SAND (SP)							

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 13 OF 23

## Log of Borehole: B-13

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test			
								N-Values			
33				33.5							
34		<b>CLAYEY SAND</b> LIGHT BROWN CLAYEY SAND (SC)	MEDIUM DENSE		8		27	▲	27		
35											
36											
37											
38											
39					MEDIUM DENSE		9		27	▲	27
40											
41											
42											
43					DENSE		10		43	▲	43
44											
45											
46											
47											
48											
49			VERY DENSE		11		56	▲	56		
50											
51											
52											
53											
54			VERY DENSE		12		59	▲	59		
55											
56											
57											
58											
59			MEDIUM DENSE		13		28	▲	28		
60				60.0							
61		End of Borehole									
62											
63											
64											

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 13 OF 23



## Log of Borehole: B-14

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

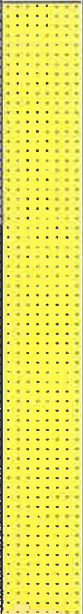

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	16.5	2	
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31		End of Borehole	30.0		
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 14 OF 23

## Log of Borehole: B-15

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29			29.0		
30		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	30.0	2	
31					
32		End of Borehole			

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 15 OF 23

## Log of Borehole: B-16

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

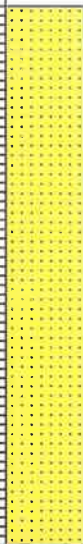


Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5					
6					
7				1	
8					
9					
10					
11					
12					
13					
14			14.5		
15		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)			
16					
17					
18					
19					
20					
21				2	
22					
23					
24					
25					
26					
27			27.0		
28		<b>SLIGHTLY SANDY CLAY</b> GREY AND YELLOWISH BROWN SLIGHTLY SANDY CLAY (CH)			
29				3	
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 16 OF 23

## Log of Borehole: B-17

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5					
6					
7					
8					
9					
10			% PASS -200 AT APPROX. 10.0 FEET = 1		
11					
12					
13					1
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26			26.0		
27		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	28.0	2	
28					
29		<b>SLIGHTLY SANDY CLAY</b> GREY AND YELLOWISH BROWN SLIGHTLY SANDY CLAY (CH)	30.0	3	
30					
31					
32		End of Borehole			

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 17 OF 23

## Log of Borehole: B-18

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test N-Values									
								0	20	40	60	80	100				
0		Ground Surface		0.0													
1		<b>FINE SAND</b> BROWN FINE SAND (SP)	HAND AUGERED														
2																	
3																	
4																	
5			LOOSE		1		4										4
6																	
7			VERY LOOSE		2		3										3
8																	
9			LOOSE		3		4										4
10																	
11																	
12																	
13																	
14			MEDIUM DENSE		4		13										13
15																	
16																	
17																	
18																	
19			DENSE		5		37										37
20																	
21																	
22																	
23																	
24			VERY DENSE		6		55										55
25																	
26																	
27																	
28																	
28.5				28.5													
29		<b>CLAYEY SAND</b> LIGHT BROWN CLAYEY SAND (SC)	MEDIUM DENSE		7		22										22
30																	
31																	
32																	

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 18 OF 23

## Log of Borehole: B-18

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test	
								N-Values	
33			MEDIUM DENSE		8		27	27	▲
34									
35									
36									
37									
38	DENSE			9		46	46	▲	
39									
40									
41	FINE SAND LIGHT GREY FINE SAND (SP)		VERY DENSE	43.5	10		55	55	▲
42									
43									
44									
45									
46									
47									
48									
49									
50									
51									
52									
53	VERY DENSE			11		50	50	▲	
54									
55									
56									
57	VERY DENSE			12		57	57	▲	
58									
59	VERY DENSE			60.0	13		76	76	▲
60									
61									
62									
63									
64									
	End of Borehole								

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Soil Profile : 18 OF 23

## Log of Borehole: B-19

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
27.5					
28		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
29					
30					
30.0					
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 19 OF 23

## Log of Borehole: B-20

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

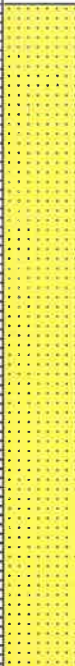

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18			18.0		
19		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 20 OF 23



## Log of Borehole: B-21

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

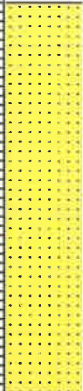

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5			% PASS -200 AT APPROX. 5.0 FEET = 1		
6					
7					
8					
9					
10					10.5
11		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
12					
13					
14			% PASS -200 AT APPROX. 12.0 FEET = 24		
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 21 OF 23

## Log of Borehole: B-22

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					1
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 22 OF 23

## Log of Borehole: B-23

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

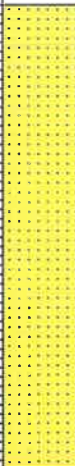

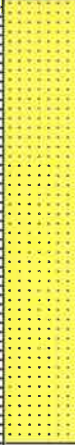
Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13		<b>CLAYEY SAND</b> YELLOWISH BROWN CLAYEY SAND (SC)		2	
14					
15					
16					
17					
18					
19		<b>FINE SAND</b> LIGHT GREY FINE SAND (SP)		3	
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 23 OF 23

**APPENDIX II**  
**BORING LOCATION MAP**



NE 110TH AVENUE

NE 110th Ave



- ⊕ = APPROXIMATE DIRECT PUSH BORING LOCATION
- ⊖ = APPROXIMATE STANDARD PENETRATION TEST (SPT) BORING LOCATION

NE 124 Ave

PROJECT NO. 22-9204.01.1  SCALE: N.T.S.  DATE: 7-27-22  FIGURE: 1	3RT PACKING AND SERVICES, LLC  PROPOSED SAND MINE NE 110TH AVENUE BRONSON, FLORIDA  BORING LOCATION MAP	<h2 style="color: red; margin: 0;">GEO-TECH, INC.</h2> <p style="font-size: small; margin: 0;">           ■ GEOTECHNICAL   ■ ENVIRONMENTAL            ■ CONSTRUCTION MATERIALS TESTING   ■ GEOPHYSICAL EXPLORATION            1016 SE 3rd AVENUE, OCALA, FLORIDA 34471 ~ (352) 694-7711         </p>
--	---	--

# ENVIRONMENTAL RESOURCE PERMIT FOR 3RT SAND MINE

SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST  
NORTHEAST 110TH AVENUE  
BRONSON, LEVY COUNTY, FLORIDA

## PROJECT INFORMATION

PERMITTEE: RYAN B. THOMAS, OWNER  
11151 NORTHEAST 35TH STREET  
BRONSON, FLORIDA 32621  
PHONE: (352) 258-9547

ENGINEER: DNM ENGINEERING & ASSOCIATES, INC.  
CONTACT: DOUGLAS A. VANDEURSEN, P.E.  
POST OFFICE BOX 42  
OCALA, FLORIDA 34478  
TELEPHONE: (352) 624-2068  
FAX: (352) 622-6643

GENERAL PURPOSE: TO MINE 400± ACRES OF AGRICULTURAL LAND FOR FINE SAND AND CLAYEY SAND.

## GENERAL NOTES:

1. THIS SET OF PLANS IS NOT TO BE USED FOR ANY PURPOSE UNLESS ALL SHEETS LISTED IN THE INDEX ARE INCLUDED IN THE SET, SECURELY BOUND AND EACH SHEET PROPERLY CERTIFIED.
2. ALL CONSTRUCTION COVERED BY THESE PLANS MUST CONFORM TO THE LATEST MATERIAL AND PROCEDURES REQUIREMENTS AND QUALITY CONTROL STANDARDS REQUIRED BY THE LEVY COUNTY "LAND DEVELOPMENT CODE," AS APPLICABLE.
3. ANY DEVIATION FROM THESE PLANS REQUIRES PRIOR WRITTEN APPROVAL FROM THE PROFESSIONAL ENGINEER OF RECORD AND, IF APPLICABLE, FROM THE PROPERTY OWNER.
4. THE OWNER/CONTRACTOR FOR THE PROJECT IS HEREBY REQUIRED, AS PART OF THE CONTRACT, TO REVIEW EACH SHEET OF THE SET AND STUDY THEIR CORRELATION PRIOR TO MINING ACTIVITIES. OWNER/CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES FOUND ON THESE PLANS.
5. OWNER/CONTRACTOR IS HEREBY REQUIRED TO IMPLEMENT SITE SAFETY AT ALL TIMES PER OSHA.
6. THE OWNER/CONTRACTOR IS HEREBY REQUIRED TO CONTACT ALL PERTINENT UTILITY COMPANIES, FIELD VERIFY THE LOCATION, BOTH HORIZONTAL AND VERTICAL, OF THE UTILITIES PERTINENT TO THE PROJECT PRIOR TO STARTING CONSTRUCTION.
7. ALL SIGN AND MARKINGS MATERIAL SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND SAFETY PRACTICES FOR STREET AND HIGHWAYS AND UTILITY OPERATIONS.
8. THIS PROJECT FALLS WITHIN THE JURISDICTION OF THE FOLLOWING REGULATORY / MUNICIPAL AGENCIES. CONSTRUCTION SHALL COMMENCE ONLY AFTER APPROVAL OF ALL APPLICABLE PERMITS.  
- SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SAND MINE)  
- FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (SAND MINE)
9. DNM ENGINEERING & ASSOCIATES, INC. AND ITS EMPLOYEES ARE NOT RESPONSIBLE FOR ON-SITE SAFETY DURING CONSTRUCTION.



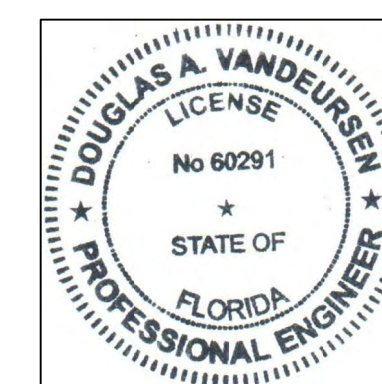
## INDEX OF SHEETS

SHEET	DESCRIPTION
CVR	COVER SHEET
SUR	SURVEY
SM1	PROPERTY OWNERSHIP MAP
SM2	SITE PLAN
SM3	TOPOGRAPHIC MAP
SM4	CROSS SECTIONS
SM5	CROSS SECTIONS
SM6	WELL LOCATION MAP

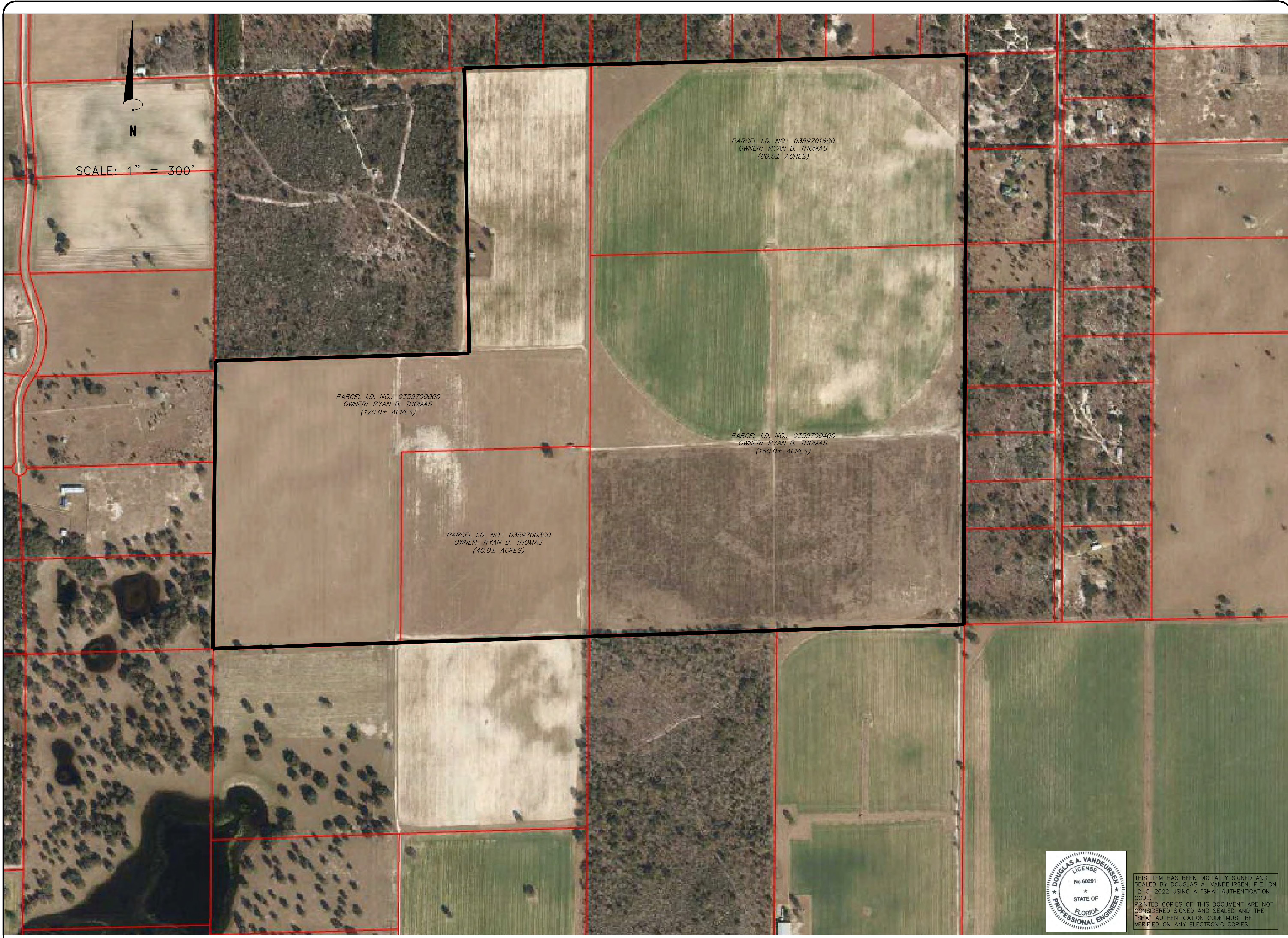
**DNM ENGINEERING & ASSOCIATES, Inc.**

POST OFFICE BOX 42  
OCALA, FLORIDA 34478

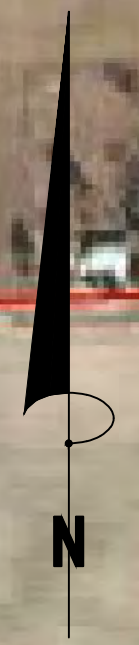
(352) 624-2068  
FAX: (352) 622-6643  
CAN: 9724



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SCALE: 1" = 300'

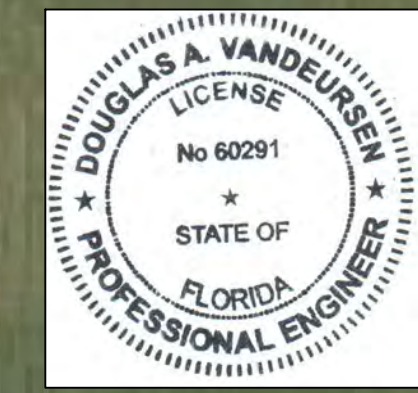


PARCEL I.D. NO.: 0359701600  
OWNER: RYAN B. THOMAS  
(80.0± ACRES)

PARCEL I.D. NO.: 0359700000  
OWNER: RYAN B. THOMAS  
(120.0± ACRES)

PARCEL I.D. NO.: 0359700400  
OWNER: RYAN B. THOMAS  
(160.0± ACRES)

PARCEL I.D. NO.: 0359700300  
OWNER: RYAN B. THOMAS  
(40.0± ACRES)



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OCALA, FLORIDA 34478  
FAX (352) 622-6643  
CAN: 9724

**PROPERTY OWNERSHIP MAP**  
**3RT SAND MINE**  
**N.E. 110TH AVENUE**  
**BRONSON, LEVY COUNTY, FLORIDA**

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE

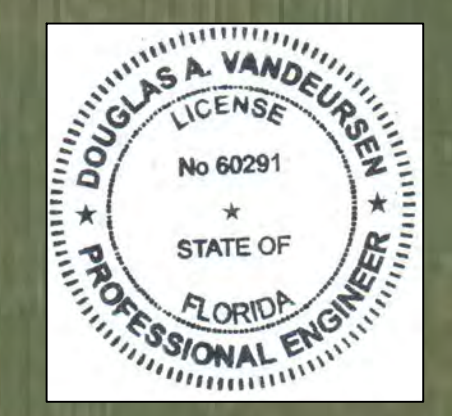
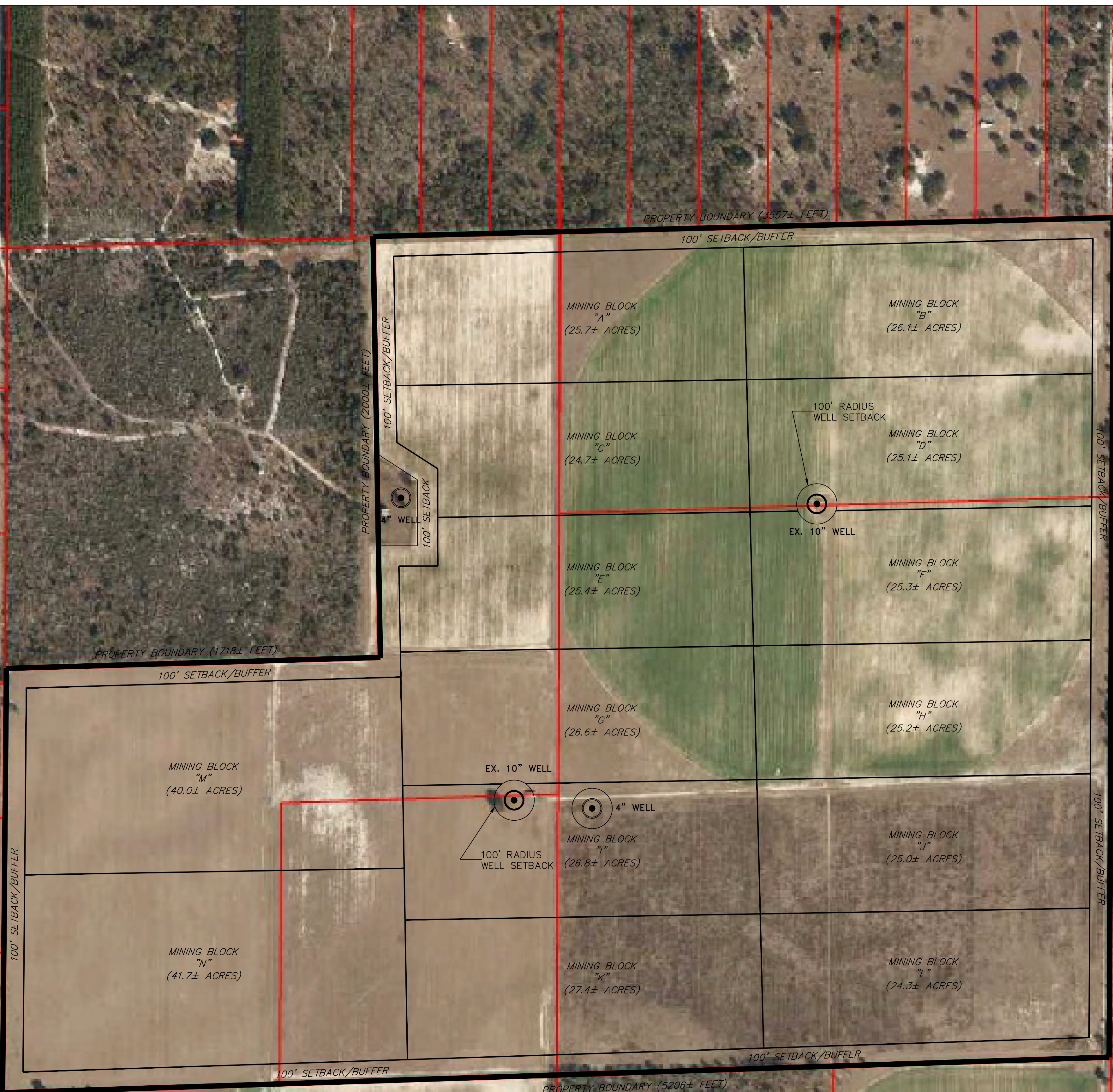
Project No. 22-084

**SM1**

Sheet 3 Of 8



SCALE: 1" = 300'



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 (352) 624-2068  
 Ocala, Florida 34478  
 FAX (352) 622-6643  
 CAN: 9724

**SITE PLAN**  
**3RT SAND MINE**  
**N.E. 110TH AVENUE**  
**BRONSON, LEVY COUNTY, FLORIDA**

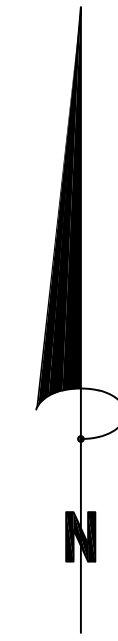
DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE

Project No. 22-084

**SM2**

Sheet 4 Of 8

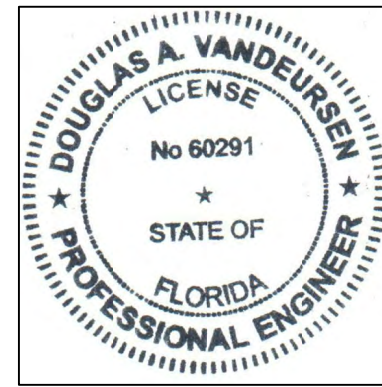




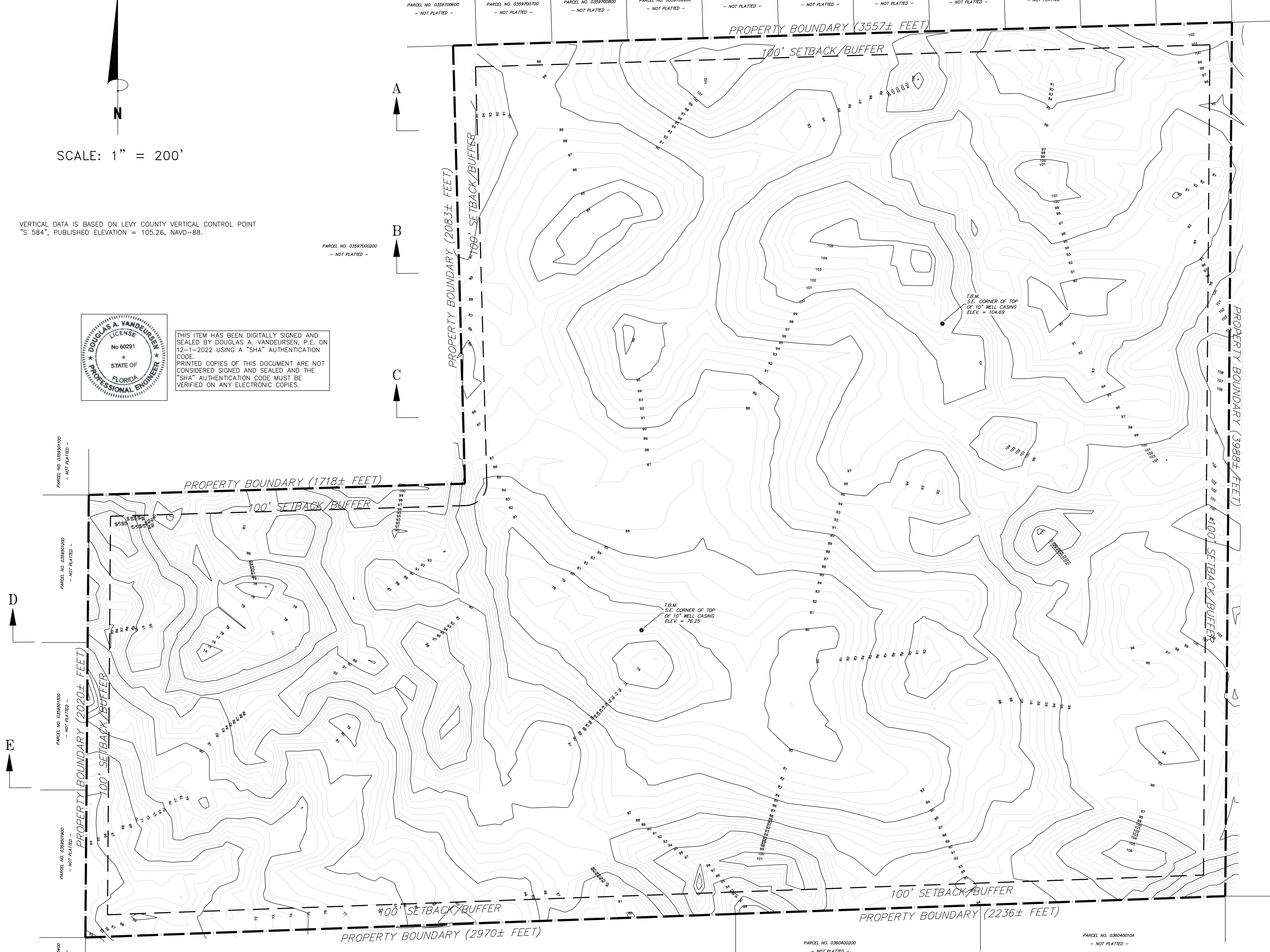
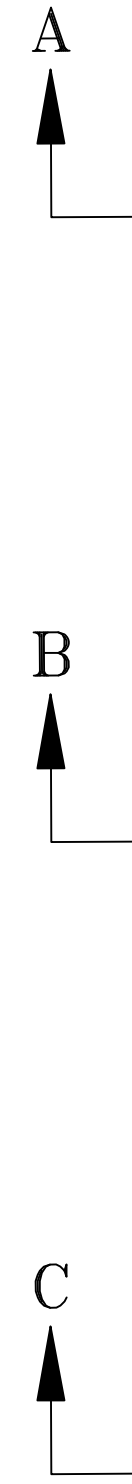
SCALE: 1" = 200'

VERTICAL DATA IS BASED ON LEVY COUNTY VERTICAL CONTROL POINT "S 584", PUBLISHED ELEVATION = 105.26, NAVD-88.

PARCEL NO. 0359700200  
- NOT PLATTED -



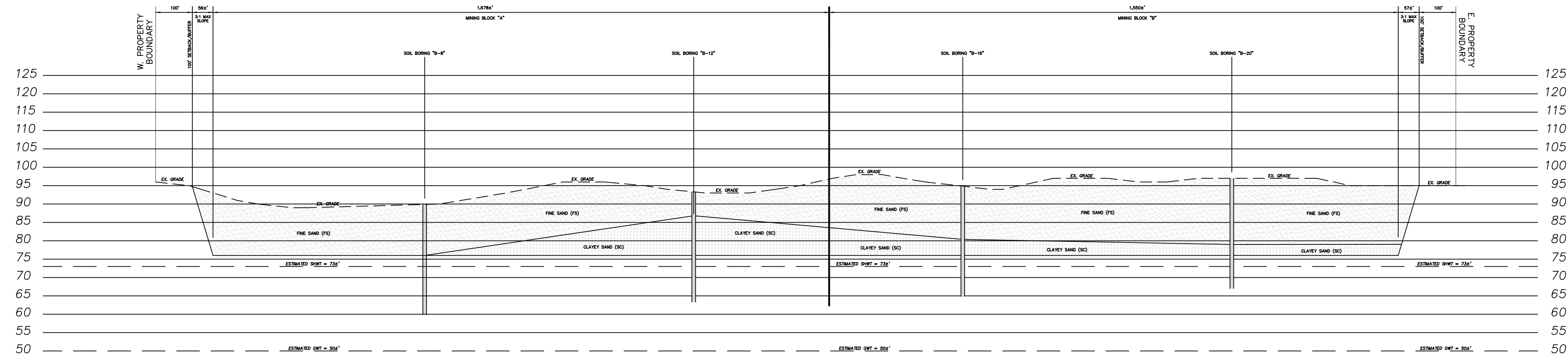
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(352) 624-2068  
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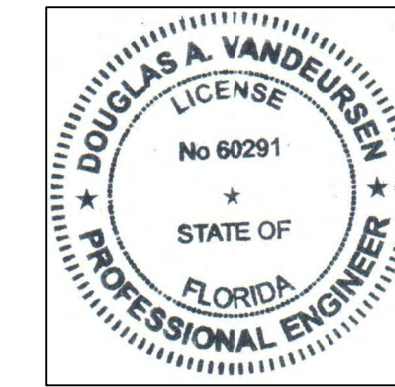
**TOPOGRAPHY MAP**  
3RT SAND MINE  
N.E. 110TH AVENUE  
BRONSON, LEVY COUNTY, FLORIDA

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DAV	DAV	01 DEC 22	REVISED PER SWFMD COMMENTS

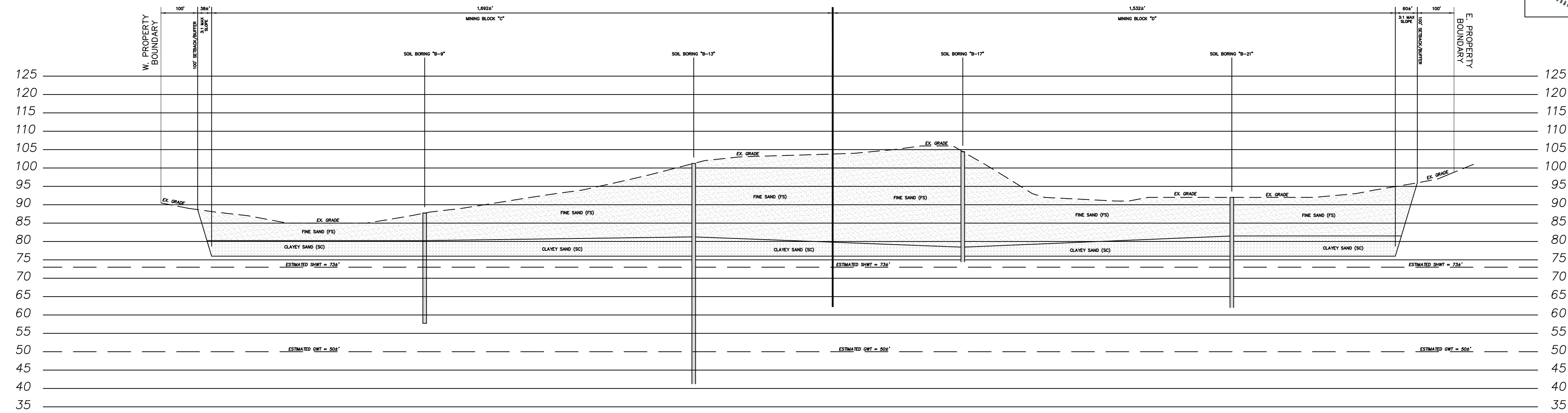


**CROSS SECTION "A - A"**

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VERTICAL SCALE: 1" = 20 FEET

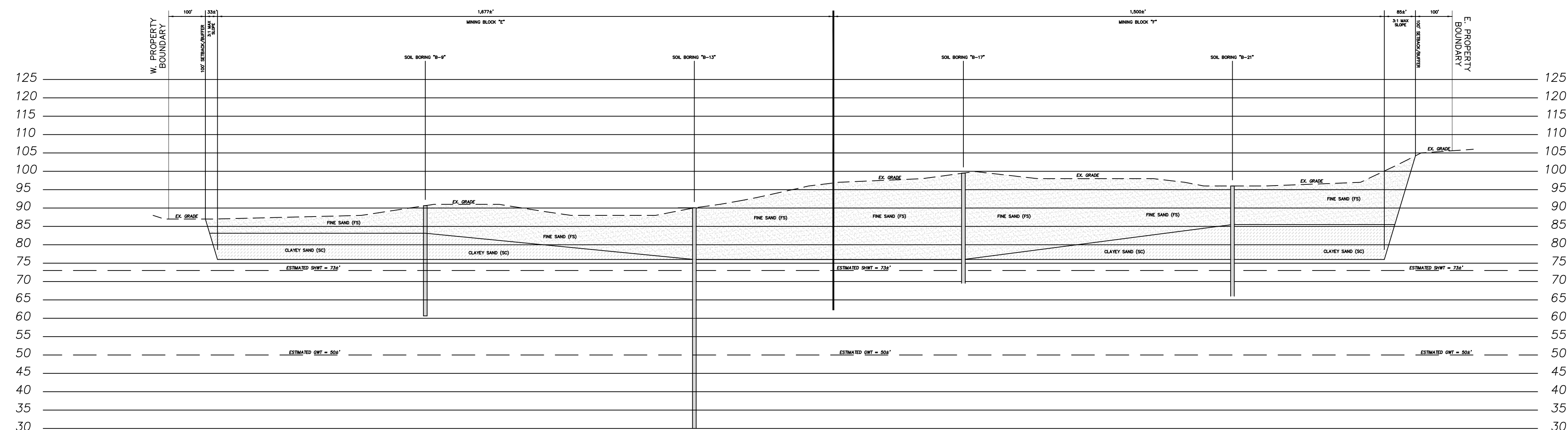


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**CROSS SECTION "B - B"**

HORIZONTAL SCALE: 1" = 200 FEET  
VERTICAL SCALE: 1" = 20 FEET



**CROSS SECTION "C - C"**

HORIZONTAL SCALE: 1" = 200 FEET  
VERTICAL SCALE: 1" = 20 FEET

**DNM ENGINEERING & ASSOCIATES, INC.**

P.O. BOX 42  
(352) 624-2068  
OCALA, FLORIDA 34478  
FAX (352) 622-6643  
CAN: 9724

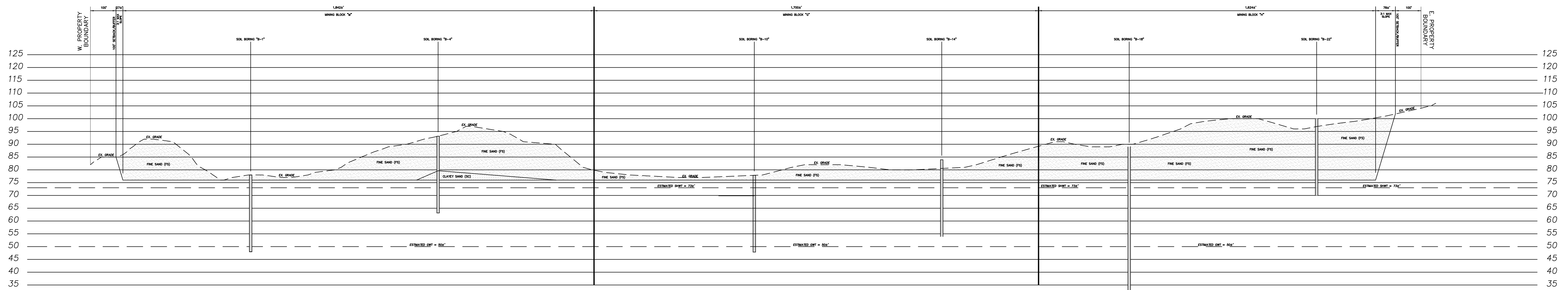
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**3RT SAND MINE**  
**N.E. 110TH AVENUE**  
**BRONSON, LEVY COUNTY, FLORIDA**

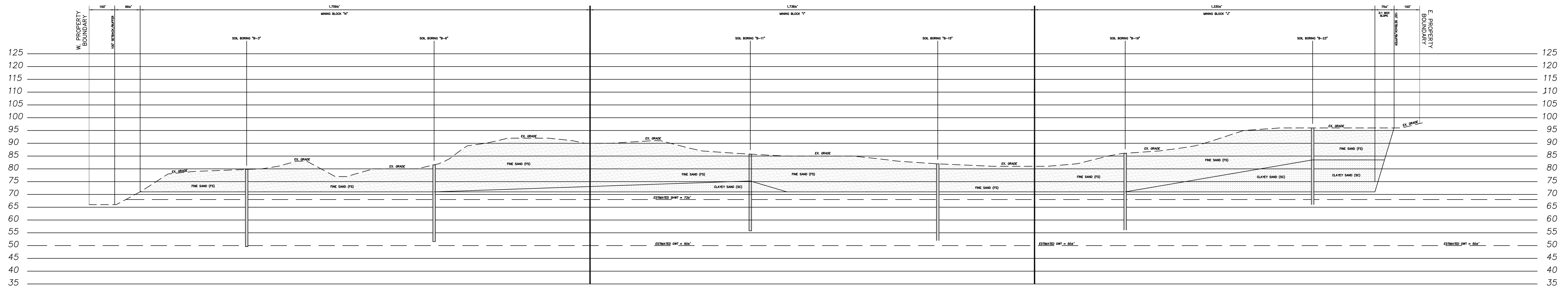
DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE
DAV	DAV	05 DEC 22	REVISED PER SURVEY

Project No. 22-084

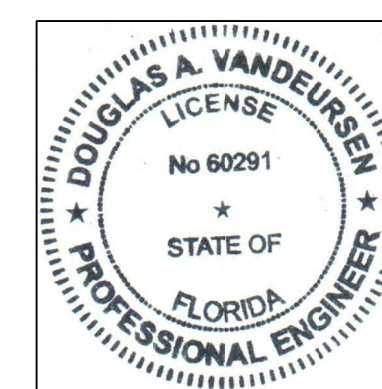




**CROSS SECTION "D - D"**  
 HORIZONTAL SCALE: 1" = 200 FEET  
 VERTICAL SCALE: 1" = 20 FEET



**CROSS SECTION "E - E"**  
 HORIZONTAL SCALE: 1" = 200 FEET  
 VERTICAL SCALE: 1" = 20 FEET



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 (352) 624-2068  
 Ocala, Florida 34478  
 FAX (352) 622-6643  
 CAN: 9724

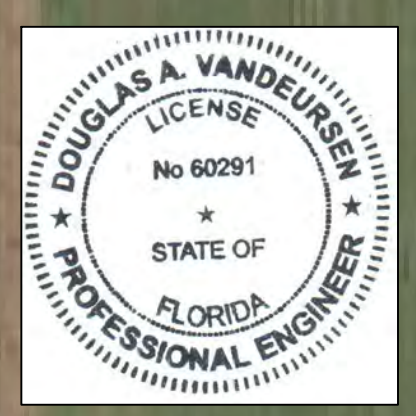
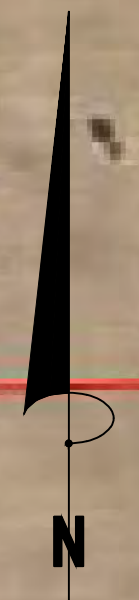
**CROSS SECTIONS**  
**3RT SAND MINE**  
**N.E. 110TH AVENUE**  
**BRONSON, LEVY COUNTY, FLORIDA**

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE
DAV	DAV	05 DEC 22	REVISED PER SURVEY

Project No. 22-084

**SM5**

SCALE: 1" = 300'



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 P.O. BOX 42  
 (352) 624-2068  
 OCALA, FLORIDA 34478  
 FAX (352) 622-6643  
 CAN: 9724

**WELL LOCATION MAP**  
 3RT SAND MINE  
 N.E. 110TH AVENUE  
 BRONSON, LEVY COUNTY, FLORIDA

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE

Project No. 22-084

**SM6**

Sheet 8 Of 8

LEVY COUNTY DEVELOPMENT DEPARTMENT

EXCAVATION AND FILL PERMIT APPLICATION

This application is to be submitted with the application for a Special Exception Use Permit for Major Mining as required by Levy County Code of Ordinances, Chapter 50, Land Development Code; Article XIII, Zoning; Division 3. District Regulations; Subdivision 2. Requirements for Specific Uses; Section 50-719. II (d).

Excavation and Fill Permit - means the permit required prior to any excavation, fill or extraction of minerals, resources, or natural resources pursuant to Section 50-719.

Filing Date: \_\_\_\_\_ Ex. & Fill Application Number: \_\_\_\_\_

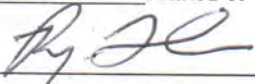
Impact Fee Paid: \_\_\_\_\_ Approved Special Exception No. \_\_\_\_\_

Amount of Surety or Performance Bond: \$ \_\_\_\_\_

Note: The Impact Fee and Surety Bond are not required at the time of the submittal of an application for the review of the Special Exception for the proposed Major Mining operation. The Fee and Bond shall be provided with the request for the Excavation and Fill permit after the Special Exception is approved and all required state and federal permits have been provided.

**I. Property Owner/Agent Information:**

Owner's Name: Ryan Thomas & Lee A. Thomas  
\_\_\_\_\_ Printed or Typed

Owner's Signature:   
\_\_\_\_\_

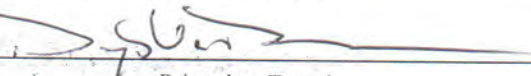
Address: 11151 N.E. 35th Street  
Bronson, Florida

Zip Code: 32621

Phone # (352) 258-9547

\*\*\*\*\*

Agent's Name: DOUGLAS VANDEURSEN, P.E.  
\_\_\_\_\_ Printed or Typed

Agent's Signature:   
\_\_\_\_\_ Printed or Typed

Address: P.O. Box 42  
Ocala, FL 34478

Zip Code: 34478

Phone # 352-624-2068

LEVY COUNTY DEVELOPMENT DEPARTMENT

EXCAVATION AND FILL PERMIT APPLICATION

This application is to be submitted with the application for a Special Exception Use Permit for Major Mining as required by Levy County Code of Ordinances, Chapter 50, Land Development Code; Article XIII, Zoning; Division 3. District Regulations; Subdivision 2. Requirements for Specific Uses; Section 50-719. II (d).

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Filing Date: \_\_\_\_\_ Ex. & Fill Application Number: \_\_\_\_\_

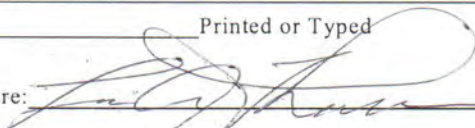
Impact Fee Paid: \_\_\_\_\_ Approved Special Exception No: \_\_\_\_\_

Amount of Surety or Performance Bond: \$ \_\_\_\_\_

Note: The Impact Fee and Surety Bond are not required at the time of the submittal of an application for the review of the Special Exception for the proposed Major Mining operation. The Fee and Bond shall be provided with the request for the Excavation and Fill permit after the Special Exception is approved and all required state and federal permits have been provided.

**I. Property Owner/Agent Information:**

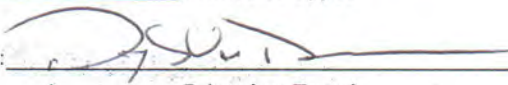
Owner's Name: Ryan Thomas & Lee A. Thomas  
\_\_\_\_\_ Printed or Typed

Owner's Signature:  \_\_\_\_\_

Address: 11151 N.E. 35th Street Zip Code: 32621  
Bronson, Florida

Phone # (352) 258-9547

\*\*\*\*\*  
Agent's Name: DOUGLAS VANDEUSEN, P.F.  
\_\_\_\_\_ Printed or Typed

Agent's Signature:  \_\_\_\_\_  
Printed or Typed

Address: P.O. Box 42 Zip Code: 34478  
Ocala, FL

Phone # (352) 624-2068

**II. Property Information:**

1. Parcel Identification 1) 0359701600 - 2) 0359700400 - 3) 0359700000 4) 0359700300

2. Section 35; Township 12 South; Range 17 East;

3. Total Surface Area to be Altered Under This Permit: 400+/- Acres

4. Future Land Use Designation: A/RR Zoning District: A/RR

**\* Attach additional property information as necessary (STRS; Parcel ID Numbers)**  
Please see ATTACHMENT "A" For Ingress/Egress Properties

**III. REQUIRED ATTACHMENTS:**

1. If you are the current property owner, attach a notarized letter of authorization from the owner of the property, corporation or other entity having received approval of the Special Exception Use Permit for Major Mining, authorizing you to act as the owner's agent to apply for the excavation and fill permit.
2. Provide three certified boundary surveys of the tract or parcel that is the subject of any land alterations. Please delineate the mining area if only a portion of the property is to be altered, excavated or filled. Provide the area of the mining area on the survey (in acres, to the tenth).
3. Provide three copies of all required state and federal permits needed for the excavation and/or fill operations. (mining, processing, crushing and washing, sizing, settling ponds, etc.)

These permit approvals may include, but are not limited to the following: an environmental resource permit, general works of the district permit, water consumptive use permit or a permit to develop a stormwater management system from the affected state water management district; permits or letter of sufficiency from the Department of Environmental Protection, Bureau of Mine Reclamation; Army Corps of Engineers; air quality permit from the Environmental Protection Agency, clearance from the Florida Wildlife Conservation Commission or US Fish and Wildlife Commission for the protection of endangered species.

4. Provide the surety or performance bond in the amount required by Section 50-719. II. (D)(14).
5. Provide three maps of the hauling route to be used to haul materials to or from the approved site (must be consistent with the special exception application).

**IV. Site Plan [Consistent with Section 50-719. III. (b)(2) and approved Special Exception]:**

A **site plan** shall be furnished depicting the following:  shape and dimensions of the entire property and delineation of the project area (if a portion of the entire tract),  identify all existing and proposed buildings;  dimensions of buildings and distances of all buildings to property lines,  all streets and easements abutting property,  indicate with a dashed line any water, depressions and sinkholes,  show any storm water management systems and/or water retention areas,  locate and delineate the proposed area to be excavated or filled and identify approximate acreage delineated,  locate and delineate all areas to be used for stock-piles, slurry or settlement ponds, crushing or other processing operations,  show the location of any screening and buffering to be provided.



**V. Description of Work:**

**A description of the work to be performed (excavation, fill or both) shall be provided with the site plan and permit application giving the following information [Section 50-719. III (b)(4)]:**

1. Purpose of the excavation or fill operation.
2. Schedule of expected duration of the operation.
3. Provide a schedule of operating hours.
4. Type of fill to be placed (if applicable).
5. Depth of the excavation or the fill placed.
6. The grade of side slopes associated with an excavation or fill operation. (when applicable)
7. Description of screening, buffering or berms to be utilized.
8. Provide an estimate of truck traffic to be generated by excavation or fill operation.

**APPLICATION REVIEW :**

**The review of the application will be based on the approved special exception application, conditions of approval of the special exception use, if any, and all supporting documents. (Must be consistent with the approval Special Exception Use application)**

**The Levy County staff responsible for review of the Excavation and Fill Permit applications finds the submitted application be:**

- Consistent with Section 50-719 and the approved special exception application.**
- Inconsistent with Section 50-719 and the approved special exception application.**
- Absent all necessary permits or approvals from all affected agencies.**

**Development Director** \_\_\_\_\_ **Date:** \_\_\_\_\_

**County Engineer** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Staff comments, conditions of approval, or deficiencies noted:**

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# LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

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Planning and Zoning Department  
320 Mongo Street  
Bronson, Florida 32621  
Office (352) 486-5203/LCPZ@levycounty.org

## NOTICE OF PUBLIC MEETING FOR THE PETITION OF SPECIAL EXCEPTION

April 12, 2023

**PETITION NO SE 23-01:** Ryan Thomas for 3RT Sand Mine. Requesting a Special Exception for a major mining operation pursuant to Sec. 50-719 Mining and excavation of minerals, resources, or natural resources, and site reclamation of the Levy County Land Development Code to allow a sand mine on approximately 400 acres of land located in Section 35, Township 12 S, Range 17 E, Levy County Florida. These parcels are located in Agriculture/Rural Residential (A/RR) Land Use and Zoning district. Parcel Number(s) 0359701600, 0359700400, 0359700000 and 0359700300.

Dear Property Owner:

This notice has been mailed to you because the proposal for this petition is located on property within two (2) miles of property you own, according to the latest tax roll available. This notice is also provided through advertisements in the Levy County Citizen and other appropriate publications, and signage on the proposed amendment site.

The *Levy County Planning Commission* will hold a PUBLIC HEARING on **Monday, May 1, 2023 at 5:45 pm** in the Levy County Government Center Auditorium, 310 School Street, Bronson, FL.

You are encouraged to attend the above mentioned meeting in order to provide comments to the *Levy County Planning Commission*. If you or your authorized representative cannot be in attendance, you may submit your comments in writing to the Planning and Zoning Department prior to the date of the Public Hearing.

Should you have any questions regarding this petition or the process, contact the Planning and Zoning Department at (352) 486-5203.

Sincerely,

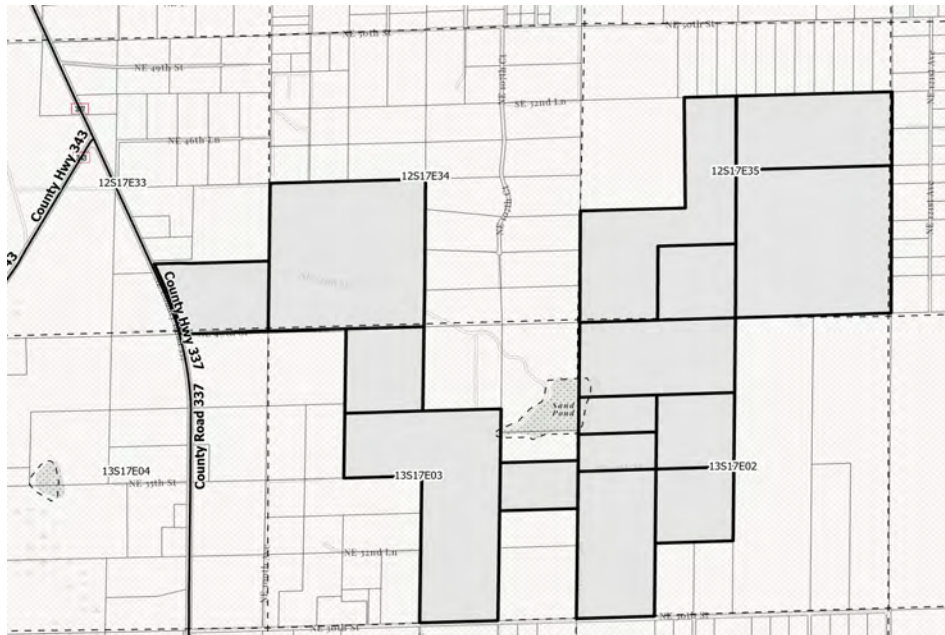
Stacey Hectus  
Planning and Zoning Director

\*To keep informed of any upcoming meetings on this or any other items, please sign up on our website at [www.levycounty.org](http://www.levycounty.org) or go to the direct link to subscribe: <https://meetings.municode.com/subscribe/index?cc=levyfl>

## **NOTICE OF PUBLIC HEARING**

A public hearing on the petition as described below will be conducted by the **Levy County Planning Commission on Monday, July 10, 2023 at 5:45 pm** or as soon thereafter as the matter may be heard during the course of action. Then again by the **Board of Levy County Commission on Tuesday, July 25, 2023 at 9:00 am** or as soon thereafter as the matter may be heard during the course of action. Both hearings will be held in the Levy County Government Center Auditorium, 310 School Street, Bronson, Florida. The Commission is not bound to consider the petitions in the order listed in this notice. Any of these petitions may be considered to be heard as soon as the meeting commences. To keep informed of any upcoming meeting on this or any other items, please sign up on our website at [www.levycounty.org](http://www.levycounty.org) or go to the direct link to subscribe: <https://meetings.municode.com/subscribe/index?cc=levyfl>

**PETITION NO SE 23-01:** Ryan Thomas for 3RT Sand Mine. Requesting a Special Exception for a major mining operation pursuant to Sec. 50-719; Mining and excavation of minerals, or natural resources, and site reclamation of the Levy County Land Development Code to allow a sand mine (no blasting) on approximately 1,100 acres (includes mine property and access to CR 337) of land located in Section 35, Township 12 S, Range 17 E, Levy County Florida. These parcels are located in Agriculture/Rural Residential (A/RR) Land Use and Zoning district. Parcel Number(s) 0359701600, 0359700400, 0359700000, 0359700300, 0360400600, 0360400000, 036040040B, 036040040A, 0360400400, 0360400500, 0360600500, 0360600300, 0360600000, 0359400000, and 0359200000.



Copies of said petitions with complete legal descriptions and subsequent staff reports (if applicable) will be available for review at the Levy County Planning and Zoning Department, 320 Mongo Street Bronson, FL 32621. For information call 352-486-5203. Interested parties may appear at the meeting and be heard regarding the proposed petitions. Any person requiring reasonable accommodations to participate in this meeting should contact the Levy County Commissioners Administration Office at 352-486-5218.

Published June 22, 2023

**DURABLE POWER OF ATTORNEY**

**OF**

**KARLA DIEHM**

I, KARLA DIEHM, with an address of 7400 Harbor Blvd., Miramar, FL 33023, make, constitute and nominate my niece, SUSAN LEBOEUF, whose address is 2200 NE 48 Court, Lighthouse Point, FL 33064, as my agent.

**ARTICLE I**

I hereby give and grant unto my said agent full power and authority to act for me in any lawful way with respect to the powers enumerated in Article II, and to the powers which I have initialed in Article III, of this durable power of attorney.

**ARTICLE II**

My agent is authorized to act for me in my name, place and stead and may exercise any or all of the powers contained in this Article II.

**2.1 Banking and Other Financial Institution Transactions.** With regard to banking and other financial institution transactions, my agent shall have the authority to conduct banking transactions as provided in section 709.2208(1), Florida Statutes.

**2.2 Investment Transactions.** With regard to stock and bond transactions, my agent shall have the authority to conduct investment transactions as provided in section 709.2208(2), Florida Statutes.

**2.3 Real Property Transactions.** With regard to real property transactions, my agent may exercise all of the following powers with regard to any real property I own: (1) convey or mortgage homestead property; (2) accept as a gift or as security for a loan or reject, demand, buy, lease, receive, or otherwise acquire an interest in real property or a right incident to real property; (3) sell, exchange, convey with or without covenants, quitclaim, release, surrender, mortgage, encumber, partition, consent to partitioning, subdivide, apply for zoning, rezoning, or other governmental permits, plat or consent to platting, develop, grant options concerning, lease or sublet, or otherwise dispose of an estate or interest in real property or a right incident to real property; (4) release, assign, satisfy, and enforce by litigation, action, or otherwise a mortgage, deed of trust, encumbrance, lien, or other claim to real property that exists or is claimed to exist; (5) do any act of management or of conservation with respect to an interest in real property, or a right incident to real property, owned or claimed to be owned by me, including power to insure against a casualty, liability, or loss; obtain or regain possession or protect the interest or right by litigation, action, or otherwise; pay, compromise, or contest taxes or assessments or apply for and receive refunds in connection with them; and purchase supplies, hire assistance or labor, or make repairs or alterations in the real property; (6) use, develop, alter, replace, remove, erect, or install

  
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structures or other improvements on real property in which I have or claim to have an estate, interest, or right; (7) participate in a reorganization with respect to real property or a legal entity that owns an interest in or right incident to real property, receive and hold shares of stock or obligations received in a plan or reorganization, and act with respect to the shares or obligations, including selling or otherwise disposing of the shares or obligations; exercising or selling an option, conversion, or similar right with respect to the shares or obligations; and voting the shares or obligations in person or by proxy; (8) change the form of title of an interest in or right incident to real property; and (9) dedicate easements or other real property in which I have or claim to have an interest to public use, with or without consideration.

**2.4 Tangible Personal Property Transactions.** With regard to tangible personal property transactions, my agent may exercise all of the following powers: (1) accept as a gift or as security for a loan, reject, demand, buy, receive, or otherwise acquire ownership or possession of tangible personal property or an interest in tangible personal property; (2) sell, exchange, convey with or without covenants, release, surrender, mortgage, encumber, pledge, hypothecate, create a security interest in, pawn, grant options concerning, lease or sublet to others, or otherwise dispose of tangible personal property or an interest in tangible personal property; (3) release, assign, satisfy, or enforce by litigation, action, or otherwise a mortgage, security interest, encumbrance, lien, or other claim on my behalf, with respect to tangible personal property or an interest in tangible personal property; and (4) do an act of management or conservation with respect to tangible personal property or an interest in tangible personal property on my behalf, including insuring against casualty, liability, or loss; obtaining or regaining possession or protecting the property or interest by litigation, action, or otherwise; paying, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with taxes or assessments; moving from place to place; storing for hire or on a gratuitous bailment; and using, altering, and making repairs or alterations.

**2.5 Business Operation Transactions.** With regard to business operation transactions, my agent may exercise all of the following powers: (1) operate, buy, sell, enlarge, reduce, or terminate a business interest; (2) to the extent that my agent is permitted by law, to perform a duty or discharge a liability or exercise a right, power, privilege, or option that I have, may have, or claim to have under a partnership agreement, whether or not I am a general or limited partner; (3) to the extent that my agent is permitted by law, to enforce the terms of a partnership agreement by litigation, action, or otherwise; (4) to the extent that my agent is permitted by law, to defend, submit to arbitration, settle, or compromise litigation or an action to which I am a party because of membership in the partnership; (5) exercise in person or by proxy or enforce by litigation, action, or otherwise a right, power, privilege, or option I have or claim to have as the holder of a bond, share, or other instrument of similar character and defend, submit to arbitration, settle, or compromise a legal proceeding to which I am a party because of a bond, share, or similar instrument; (6) with respect to any business owned solely by me, continue, modify, renegotiate, extend, and terminate a contract made with any individual or legal entity, firm, association, or corporation by or on my behalf with respect to the business before execution of the power of attorney; (7) with respect to any business owned solely by me, to determine the location of its operation; the nature and extent of its business; the methods of manufacturing, selling, merchandising, financing, accounting, and advertising employed in its operation; the amount and types of insurance carried; and the mode of engaging, compensating, and dealing

with its accountants, attorneys, and other agents and employees; (8) with respect to any business owned solely by me, to change the name or form of organization under which the business is operated and enter into a partnership agreement with other persons or organize a corporation to take over all or part of the operation of the business; (9) with respect to any business owned solely by me, to demand and receive money due or claimed by me or on my behalf in the operation of the business and control and disburse the money in the operation of the business; (10) put additional capital into a business in which I have an interest; (11) join in a plan of reorganization, consolidation, or merger of the business; (12) sell or liquidate a business or part of it at the time and on the terms that my agent considers desirable; (13) establish the value of a business under a buy-out agreement to which I am a party; (14) prepare, sign, file, and deliver reports, compilations of information, returns, or other papers with respect to a business that are required by a governmental agency, department, or instrumentality or that my agent considers desirable and make related payments; and (15) pay, compromise, or contest taxes or assessments and do any other act that my agent considers desirable to protect me from illegal or unnecessary taxation, fines, penalties, or assessments with respect to a business, including attempts to recover, in any manner permitted by law, money paid before or after the execution of the power of attorney.

**2.6 Insurance Transactions.** With regard to insurance transactions, my agent may exercise all of the following powers: (1) continue, pay the premium or assessment on, modify, rescind, release, or terminate a contract procured by or on my behalf that insures or provides an annuity to either me or another person, whether or not I am a beneficiary under the contract; (2) procure new, different, or additional contracts of insurance and annuities for me or my spouse, children, and other dependents and select the amount, type of insurance or annuity, and mode of payment; (3) pay the premium or assessment on or modify, rescind, release, or terminate a contract of insurance or annuity procured by my agent; (4) apply for and receive a loan on the security of the contract of insurance or annuity; (5) surrender and receive the cash surrender value of a contract of insurance or annuity; (6) exercise an election; (7) change the manner of paying premiums; (8) change or convert the type of insurance contract or annuity with respect to which I have or claim to have a power described in this section; (9) apply for and procure government aid to guarantee or pay premiums of a contract of insurance on my life; (10) collect, sell, assign, hypothecate, borrow on, or pledge my interest in a contract of insurance or annuity; and (11) pay from proceeds or otherwise, compromise or contest, or apply for refunds in connection with a tax or assessment levied by a taxing authority with respect to a contract of insurance or annuity or its proceeds or liability accruing because of the tax or assessment.

**2.7 Estate, Trust, and Other Beneficiary Transactions.** With regard to estate, trust, and other beneficiary transactions, my agent may act for me in all matters that affect a trust, probate estate, guardianship, conservatorship, escrow, custodianship, or other fund from which I am, may become, or claim to be entitled, as a beneficiary, to a share or payment, including to: (1) accept, reject, receive, receipt for, sell, assign, release, pledge, exchange, or consent to a reduction in or modification of a share in or payment from the fund; (2) demand or obtain by litigation, action, or otherwise money or any other thing of value to which I am, may become, or claim to be entitled because of the fund; (3) initiate, participate in, or oppose a legal or judicial proceeding to ascertain the meaning, validity, or effect of a deed, will, declaration of trust, or other instrument or transaction affecting my interest; (4) initiate, participate in, or oppose a legal

or judicial proceeding to remove, substitute, or surcharge a fiduciary; (5) conserve, invest, disburse, or use anything received for an authorized purpose; and (6) transfer all or part of my interest in real property, stocks, bonds, accounts with financial institutions, insurance, and other property to the trustee of a revocable trust created by me as settlor.

**2.8 Claims and Litigation.** With regard to claims and litigation, my agent has the power to: (1) assert and prosecute before a court or administrative agency a claim, a claim for relief, a counterclaim, or an offset or defend against an individual, a legal entity, or a government, including suits to recover property or other thing of value, to recover damages sustained by me, to eliminate or modify tax liability, or to seek an injunction, specific performance, or other relief; (2) bring an action to determine adverse claims, intervene in an action or litigation, and act as amicus curiae; (3) in connection with an action or litigation, procure an attachment, garnishment, libel, order of arrest, or other preliminary, provisional, or intermediate relief and use an available procedure to effect or satisfy a judgment, order, or decree; (4) in connection with an action or litigation, perform any lawful act I could perform, including acceptance of tender, offer of judgment, admission of facts, submission of a controversy on an agreed statement of facts, consent to examination before trial, and binding of me in litigation; (5) submit to arbitration, settle, and propose or accept a compromise with respect to a claim or litigation; (6) waive the issuance and service of process on me, accept service of process, appear for me, designate persons on whom process directed to me may be served, execute and file or deliver stipulations on my behalf, verify pleadings, seek appellate review, procure and give surety and indemnity bonds, contract and pay for the preparation and printing of records and briefs, or receive and execute and file or deliver a consent, waiver, release, confession of judgment, satisfaction of judgment, notice, agreement, or other instrument in connection with the prosecution, settlement, or defense of a claim or litigation; (7) act for me with respect to bankruptcy or insolvency proceedings, whether voluntary or involuntary, concerning me or some other person, with respect to a reorganization proceeding or a receivership or application for the appointment of a receiver or trustee that affects my interest in real or personal property or other thing of value; and (8) pay a judgment against me or a settlement made in connection with a claim or litigation and receive and conserve money or other thing of value paid in settlement of or as proceeds of a claim or litigation.

**2.9 Personal and Family Maintenance.** With regard to personal and family maintenance, my agent may exercise all of the following powers: (1) perform the acts necessary to maintain the customary standard of living of me and other individuals customarily or legally entitled to be supported by me, including providing living quarters by purchase, lease, or other contract, or paying the operating costs, including interest, amortization payments, repairs, and taxes on premises owned by me and occupied by those individuals; (2) provide for the individuals described by Subsection (1) of this section normal domestic help, usual vacations and travel expenses, and funds for shelter, clothing, food, appropriate education, and other current living costs; (3) pay necessary medical, dental, and surgical care, hospitalization, and custodial care for the individuals described by Subsection (1) of this section; (4) continue any provision made by me for the individuals described by Subsection (1) of this section, for automobiles or other means of transportation, including registering, licensing, insuring, and replacing the automobiles or other means of transportation; (5) maintain or open charge accounts for the convenience of the individuals described by Subsection (1) of this section and open new

accounts that my agent considers desirable to accomplish a lawful purpose; and (6) continue payments incidental to my membership or affiliation in a church, club, society, order, or other organization or to continue contributions to those organizations.

**2.10 Benefits From Certain Governmental Programs or Civil or Military Service.**

With regard to benefits from social security, Medicare, Medicaid, or other governmental programs or civil or military service, my agent has the power to: (1) execute vouchers in my name for allowances and reimbursements payable by the United States, a foreign government, or a state or subdivision of a state to me, including allowances and reimbursements for transportation of the individuals described by Section 2.09(1) of this durable power of attorney, and for shipment of their household effects; (2) take possession and order the removal and shipment of my property from a post, warehouse, depot, dock, or other place of storage or safekeeping, either governmental or private, and execute and deliver a release, voucher, receipt, bill of lading, shipping ticket, certificate, or other instrument for that purpose; (3) prepare, file, and prosecute a claim to a benefit or assistance, financial or otherwise, to which I claim to be entitled under a statute or governmental regulation; (4) prosecute, defend, submit to arbitration, settle, and propose or accept a compromise with respect to any benefits I may be entitled to receive; and (5) receive the financial proceeds of a claim of the type described in this Section 2.10 of this durable power of attorney and conserve, invest, disburse, or use anything received for a lawful purpose.

**2.11 Retirement Plan Transactions.** With regard to retirement plan transactions, my agent may exercise all of the following powers: (1) apply for service or disability retirement benefits; (2) select payment options under any retirement plan in which I participate, including plans for self-employed individuals; (3) make voluntary contributions to retirement plans if authorized by the plan; (4) exercise the investment powers available under any self-directed retirement plan; (5) make "rollovers" of plan benefits into other retirement plans; (6) borrow from, sell assets to, and purchase assets from retirement plans if authorized by the plan; (7) receive, endorse, and cash payments from a retirement plan; and (8) request and receive information relating to me and my retirement plan records.

**2.12 Tax Matters.** With regard to tax matters, my agent may exercise all of the following powers: (1) prepare, sign, and file federal, state, local, and foreign income, gift, payroll, Federal Insurance Contributions Act, and other tax returns, claims for refunds, requests for extension of time, petitions regarding tax matters, and any other tax-related documents, including receipts, offers, waivers, consents, including consents and agreements under Section 2032A of the Internal Revenue Code of 1986, as amended, (the "Code"), closing agreements, and any power of attorney form required by the Internal Revenue Service or other taxing authority with respect to a tax year on which the statute of limitations has not run and 25 tax years following that tax year; (2) pay taxes due, collect refunds, post bonds, receive confidential information, and contest deficiencies determined by the Internal Revenue Service or other taxing authority; (3) exercise any election available to me under federal, state, local, or foreign tax law; (4) act for me in all tax matters for all periods before the Internal Revenue Service and any other taxing authority; and (5) represent me, and appoint an agent or agents to represent me, before the Internal Revenue Service or any State or other taxing authority by completing, signing, and submitting IRS Form 2848 or any other governmental form.



**2.13 Existing and Foreign Interests.** The powers described in Article II of this durable power of attorney may be exercised equally with respect to an interest I have at the time this durable power of attorney is executed or an interest which I acquire later, whether or not the interest is located in Florida and whether or not the powers are exercised or the durable power of attorney is executed in Florida.

**2.14 Digital Assets.** To access, use, and control my digital devices, including without limitation, desktops, laptops, peripherals, storage devices, mobile telephones, smartphones, and any similar device which currently exists or exist in the future as technology develops for the purpose of accessing, modifying, deleting, controlling, or transferring my digital assets, and to access, take control of, conduct, continue, or terminate any of my accounts, on any website, including any social networking site, photo-sharing site, microblogging, or short message service website, or any email service website. All such websites may release my log on credentials, including username and password, to my agent and said website shall be indemnified and held harmless for any damages, causes of action claims, that may arise from this disclosure. My agent shall not delegate this power to any agent or other third party.

**ARTICLE III**

My agent is authorized to perform the following specific acts for me if I have initialed the specific authority listed below:

**Initial:**

**Power to Make Annual Exclusion Gifts.** I grant to my agent the power to make gifts (outright, in trust, or otherwise) of any of my property to or to pay amounts on behalf of any person in an amount per donee which qualifies for the Federal gift tax annual exclusion under Section 2503(b) of the Internal Revenue Code of 1986, as amended.

**Power to Make Additional Gifts.** I further grant to my agent the power to make gifts (outright, in trust, or otherwise) of any of my property up to the entirety thereof to or to any charitable organization to which deductible gifts may be made under the income and gift tax provisions of the Internal Revenue Code of 1986, as amended if, in the opinion of my agent, such gifts would reduce income, estate, generation skipping transfer or state inheritance taxes. Such gifts or amounts paid shall include those which are excludible under Section 2503(b) or Section 2503(e) of the Internal Revenue Code of 1986, as amended, or those to which the split gift provisions of Section 2513 of the Internal Revenue Code of 1986, as amended, are expected to apply. Nothing herein shall be construed to require any court action whatsoever prior to making such gifts, nor to restrict such gifts to a situation in which it must be determined that I will remain incapacitated for the remainder of my lifetime. Notwithstanding the foregoing, the gifts made by a person who is serving as my agent under this instrument to himself or herself shall

  
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not exceed in the aggregate for any calendar year the greater of five thousand dollars (\$5,000) or five percent (5%) of the fair market value of my estate (for U.S. gift tax purposes) as of December 31st of such calendar year; provided, however, if my agent is making gifts authorized by the following paragraph of this power of attorney in order to obtain or maintain eligibility for public health care benefits, then these limitations shall not apply.

**Power to Make Gifts to Qualify for Public Benefits.** If my agent in my agent's sole discretion has determined that I need nursing home or other long-term medical care and that I will receive proper medical care whether I privately pay for such care or if I am a recipient of Title XIX (Medicaid) or other public benefits, then my agent shall have the power: (i) to take any and all steps necessary, in my agent's judgment, to obtain and maintain my eligibility for any and all public benefits and entitlement programs, including, if necessary, creating and funding a qualified income trust or special needs trust for me or a disabled child, if any; (ii) to transfer with or without consideration my assets to my descendants (if any), or to my natural heirs at law or to the persons named as beneficiaries under my last will and testament or a revocable living trust which I may have established, including my agent; and (iii) to enter into a personal services contract for my benefit, including entering into such contract with my agent, and even if doing so may be considered self-dealing. Such public benefits and entitlement programs shall include, but are not limited to, Social Security, Supplemental Security Income, Medicare, Medicaid and Veterans benefits.

**ARTICLE IV**

Notwithstanding any provision herein to the contrary, any authority granted to my agent shall be limited so as to prevent this durable power of attorney from causing my agent to be taxed on my income (unless my agent is my spouse) and from causing my assets to be subject to a general power of appointment by my agent, as that term is defined in Section 2041 of the Code.

**ARTICLE V**

Any act or thing lawfully done hereunder by my said agent shall be binding on myself and my heirs, legal and personal representatives, and assigns, provided, however, that all business transacted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by my said agent for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my said agent and the designation "Agent."

**ARTICLE VI**

Any third party may transact any matter with my agent in the same manner and to the

  
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same extent as the third party would transact such matter with me. Third parties who act in reliance upon the representations of my agent shall be held harmless by me, my estate, the beneficiaries of my estate, or joint owners of property from any loss suffered or liability incurred as a result of actions taken prior to receipt of written notice of revocation, suspension, notice of a petition to determine incapacity, partial or complete termination, or my death. Any third party may rely upon a copy of this durable power of attorney certified by my agent to be a true copy of the original hereof, as fully as if such third party had received an original of this durable power of attorney.

#### ARTICLE VII

My agent shall not be liable for any acts or decisions made in good faith and in conformity with the powers enumerated in this durable power of attorney. However, my agent shall not be relieved from liability for breach of duty committed dishonestly, with improper motive, or with reckless indifference to me or the purposes of this durable power of attorney.

#### ARTICLE VIII

My agent shall have the power to pay a reasonable fee from my estate to each agent who is a qualified agent as defined in Section 709.2112(4), Florida Statutes as compensation for services rendered under this durable power of attorney in an amount which does not exceed the customary and prevailing charges for services of a similar character at the time and place such services are performed. My agent shall also be entitled to reimbursement of expenses reasonably incurred on my behalf.

#### ARTICLE IX

I hereby revoke all prior general powers of attorney executed by me. However, I do not hereby revoke any powers of attorney I have previously executed for a limited or specific purpose, or powers of attorney I have executed as part of a contract for the management of any bank or brokerage account. If I desire to revoke any such prior limited or specific power of attorney, I will execute a revocation specifically referring to the power of attorney to be revoked.

#### ARTICLE X

This durable power of attorney is not terminated by subsequent incapacity of the principal except as provided in chapter 709, Florida Statutes. This durable power of attorney shall terminate by one or more of the following circumstances:

- (1) My death;
- (2) The death or deaths of all agents named in the first paragraph of this durable power of attorney; or

  
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(3) The occurrence of an event described in Section 709.2109, Florida Statutes.

Signed on 11/13, 2020.

Karla Diehm  
KARLA DIEHM, Principal

WITNESSES (both of whom are 18 years of age or older):

Andrea Strangler, Witness  
Address: 2201 NE 48th Ct.  
Lighthouse Point FL 33064

Adrian Mundt, Witness  
Address: 2201 NE 48th Ct.  
Lighthouse Point FL 33064

STATE OF FLORIDA §  
COUNTY OF BROWARD §

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on 11/13, 2020, by KARLA DIEHM, who is personally known to me or has produced a driver's license issued by Florida that contained her photograph and signature as identification, and by Andrea Strangler and Adrian Mundt, witnesses.

Maria S. Leavy  
Notary Public, State of Florida  
Notary's printed name: MARIA S. LEAVY



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## Levy Planning

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**From:** Miguel A. Marrero <marreronievesmiguel@gmail.com>  
**Sent:** Friday, April 21, 2023 9:11 PM  
**To:** Stacey Hectus  
**Cc:** Levy Planning; Levy Planning Zoning  
**Subject:** PETITION NO SE 23-01

April 21, 2023

PETITION NO SE 23-01

I strongly oppose the exemption of SE 23-01 of allowing mining near my property, both due to harm to my property values as well as the lack of fairness because this is a violation of the rules.

Marrero Miguel A and Carmen  
26-12-17 0005.00 ACRES  
E1/2 OF NE1/4 OF SE1/4 OF  
NW1/4 OR BOOK 462 PAGE 418

NOTE: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

April 23, 2023

Levy County Planning and Zoning Department  
320 Mongo Street  
Bronson, FL 32621

TO WHOM IT MAY CONCERN:

This letter is written in **opposition** to Petition SE 23-01: Ryan Thomas for 3RT Sand Mine.

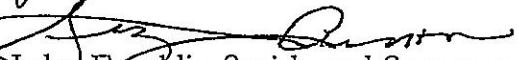
Top two concerns:

1. **Environmental impact** – destroy vegetation and deforestation, cause erosion, endanger animal habitats and pollute water sources. This is just a small list of environmental impacts, especially with an area as large as 400 acres.
2. **Personal and neighbor impact** – noise level of large trucks constantly running, dust and dirt into homes and neighborhoods, damage to our small road that will cost the county more money due to all the large trucks.

I am sure there are many more areas of concern but these two come to the forefront of my mind when I think about a mining operation of that size in a small residential area.

Please consider the environmental impacts as paramount; it is very difficult to unring that bell once the damage is done in our small, wonderful, protected part of Florida. And, as many of we natives know naturally beautiful areas like Bronson are becoming a rarity.

Thank you,



John Franklin Smith and Suzanne Arnow  
5050 NE 101 Avenue  
Bronson, FL  
(813) 920-7147 – home  
(813) 205-3802 – cell

April 19, 2023

## Levy County Planning Commission

As a property owner & resident of 5450 NE 110 Ave  
Bronson, Fl. 32621. I object to petition  
for special Exception of Ryan Thomas  
Sand mine being granted for mining &  
excavation of any mining of minerals resources  
or natural resources.

This is a beginning of reducing natural  
resources of our rural community. God  
granted us these trees & nature to keep  
us safe.

This objection is not to grant this  
company to grant permissions to mine  
for gains.

This letter is being comments on May 1, meeting.

Iba Theresa McFarland  
5450 NE 110 Ave  
Bronson, Fl 32621  
352-215-6674



# QUEST TRUST C O M P A N Y

April 18, 2023

To Whom It May Concern:

The enclosed documents were recently received by our office; however, we are unable to identify which of our clients this is for.

If this document is for a Quest Trust Company client, we ask that the vesting for our clients read as:

*Quest Trust Company FBO (client's name) IRA # (client's IRA number)*

If you could help us to identify either our clients name or account number, that would be very much appreciated.

If you have any questions, please contact the Logistics Department.

**Quest Trust Company**  
Logistics Department  
[Logistics@QuestTrust.com](mailto:Logistics@QuestTrust.com)  
Phone: 800-320-5950  
Fax: 281-646-9701

**QUEST TRUST COMPANY CORPORATE OFFICE**

17171 PARK ROW SUITE 100  
HOUSTON, TX 77084

**WWW.QUESTTRUST.COM**

(855) FUN-IRAS  
(855) 386 - 472

#5

## Levy Planning

**From:** Levy Planning Zoning  
**Sent:** Wednesday, April 26, 2023 2:12 PM  
**To:** Levy Planning  
**Subject:** FW: Petition of Special Exception for 3RT Sand Mine

For the record and to go into Municode.

Nicki Bailey

Planner I

Levy County Planning and Zoning Department

*Please email before coming into the office, with a shortage in staffing, our office hours may be altered.*

**LAND DIVISION OR COMPLEX USE INQUIRIES REQUIRE AN APPOINTMENT.**

If in a subdivision, please check Deed Restrictions/Covenants with the Clerk of Courts: 352-486-5266 or [levyclerk.com](http://levyclerk.com).

To sign up for commissioner meeting updates, please visit [MunicodeMeetings Publish Documents Subscribe Page](#).



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**From:** Linda Klock <linda5klock@gmail.com>  
**Sent:** Wednesday, April 26, 2023 2:03 PM  
**To:** Levy Planning Zoning <LCPZ@levycounty.org>  
**Subject:** Petition of Special Exception for 3RT Sand Mine

To: Levy County  
Board of County Commissioners

RE: Notice of Public Meeting for Petition of Special exception for Petition No SE 23-01





Dear Sirs:

I live within 2 miles of parcel #'s 0359701600, 0359700400, 0359700000 and 0359700300.

My main concern over the sand mines is the lowering of our water table.

It would be a terrible thing to have established well levels drop in the area causing all of us to have the well companies come out and drop our pumps lower. IF it is possible to do in our individual wells. Digging huge pits for the water to drain to is how south Florida makes higher, drier land for development. I'm sure it'll do the same thing up here.

The secondary concern is noise pollution, of course. Our peaceful agricultural atmosphere with horse farms, crops and cattle would suffer. Already, we have the largest dump trucks running one behind the other, great clouds of dust on occasion and beep-beep-beeping going on from whatever is going on in that direction. Sometimes all night long. My neighbors and I committed: Are they operating illegally now? And trying to cover their tracks? Why do they operate at night? What is all that heavy work going on at all hours? It has suddenly stopped. Makes us go "hmm" and then we get the notice of petition of special exception. Hmmm.

Road stress due to heavy loads travelling nonstop, one after the other would cause higher road tax? To keep our roads passable for us. Our taxes go up then? To pay for the damage their dump trucks cause? That isn't going to go over well with crop growers, ranchers and horse farmers.

As a tax payer and lover of Levy County, please deny this harvesting of peace, tranquility and assault on our water table levels as well as promised rise in road taxes to pay for the road damage.

Linda Klock

3431 NE 100<sup>th</sup> Ave.

Bronson, Fl 32621

850-866-8199

NOTE: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



Vicki Wilson [REDACTED]

---

**Planning and zoning dept Petition No SE23-01**

---

Vicki Wilson [REDACTED]

Fri, Apr 21, 2023 at 4:55 PM

To: Vicki Wilson [REDACTED]

We have received notice for special exception for major mining operation requested by Ryan Thomas.

We bought our property in 1999 and at that time the parcels subject for discussion were Dean properties with A/RR zoning ..Same as us. This was an important factor in our purchase.

The current request for exception is not acceptable. This is an attempt to change a rural residential area into a commercial property that would only benefit one party.  
This is not acceptable.

Sand mining is not a friendly neighbor. How would it affect our aquifer? Our peaceful country side?

There are three veterans organizations in our area. If explosives are used how are those with post traumatic stress disorder going to handle it?  
This is also a sandhill/scrub area which has specific floral and wildlife.

Traffic, (commercial equipment) noise, and water/well contamination are all reasons to not allow this business.

I do not believe a new owner has the right to push the current zoning regulations because they do not fit their purpose.  
No exceptions should be made.

Vicki and Dennis Wilson  
127th court



# LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

Planning and Zoning Department  
320 Mongo Street  
Bronson, Florida 32621  
Office (352) 486-5203/LCPZ@levycounty.org

## NOTICE OF PUBLIC MEETING FOR THE PETITION OF SPECIAL EXCEPTION

April 12, 2023

**PETITION NO SE 23-01:** Ryan Thomas for 3RT Sand Mine. Requesting a Special Exception for a major mining operation pursuant to Sec. 50-719 Mining and excavation of minerals, resources, or natural resources, and site reclamation of the Levy County Land Development Code to allow a sand mine on approximately 400 acres of land located in Section 35, Township 12 S, Range 17 E, Levy County Florida. These parcels are located in Agriculture/Rural Residential (A/RR) Land Use and Zoning district. Parcel Number(s) 0359701600, 0359700400, 0359700000 and 0359700300.

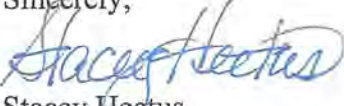
Dear Property Owner:

This notice has been mailed to you because the proposal for this petition is located on property within two (2) miles of property you own, according to the latest tax roll available. This notice is also provided through advertisements in the Levy County Citizen and other appropriate publications, and signage on the proposed amendment site.

The *Levy County Planning Commission* will hold a PUBLIC HEARING on **Monday, May 1, 2023 at 5:45 pm** in the Levy County Government Center Auditorium, 310 School Street, Bronson, FL.

You are encouraged to attend the above mentioned meeting in order to provide comments to the *Levy County Planning Commission*. If you or your authorized representative cannot be in attendance, you may submit your comments in writing to the Planning and Zoning Department prior to the date of the Public Hearing.

Should you have any questions regarding this petition or the process, contact the Planning and Zoning Department at (352) 486-5203.

Sincerely,  
  
Stacey Hectus  
Planning and Zoning Director

*I oppose ANY location of sand pit or gravel pit within 4 miles of my Property. Please!*

*Zoskey Mahan  
23-12-17- Oak Ridge Estates  
lot 1 Block 68  
Oak Ridge Estates*

\*To keep informed of any upcoming meetings on this or any other items, please sign up on our website at [www.levycounty.org](http://www.levycounty.org) or go to the direct link to subscribe: <https://meetings.municode.com/subscribe/index?cc=levyfl>

1/23/2023

Dear Stacey Hectors,

Receiving your letter of April 12 was beyond disturbing - to say the least.

This request for a mining operation is just plain wrong.

Over air, road, noise & light pollution will go beyond all tolerance.

Water table is only 30 ft down. We are on well water here - THIS SHOULD NOT BE ALLOWED!

That machinery makes dust or racket - THE DECIBEL LEVEL WILL EXCEED & GO OVER LIMITS.

The silica dust flying around creates so cancer causing fumes - THAT WILL CAUSE HEALTH ISSUES

Traveling 27 will be so noisy that it will be unbearable.

up. THE TRUCKS ARE HUGE - AND THEY CAUSE A LOT OF ACCIDENTS - A LOT!

I lived in Key Largo for 2 yrs (---); And I experienced all the "JOY" of their operation while driving to run from Florida City to work.

You do not want ~~me~~ RYAN THOMAS to do this in any way. Shape, form, or idea!

PLEASE DO NOT ALLOW THIS TO HAPPEN. MY 1ST HOME, BOUGHT AND PAID FOR - MY RETIREMENT HOME - PLEASE STOP THIS FROM TAKING AWAY ALL I WORKED FOR.

Stacey,

Susan J Wood



Susan Wood  
5311 N.E. 133rd Ave.  
Williston, FL 32696-6072

Dear Planning and Zoning Commission,

I am writing in response to the letter I received of the proposed 3RT Sand Mine located in Section 35, Township 12 S, Range 17 E in Levy County Florida.

I would like to urge you to deny this Special Exemption. I am a life long Floridan and have seen many changes over the years. Bronson has been my home for over 5 years now and I love the peace and quiet that it offers. This proposed Sand Mine is very close to my home and I fear that I will hear constant heavy equipment all day long. I also fear the heavy dump truck traffic just a few short blocks from me, not to mention CR337, 27 and 102. How much extra damage would this cause to our roads? This Sand Mine would be a burden and a constant nuisance for those of us that live near by.

I would kindly request that you vote against this Special Exemption.

Thank you,

Shane Kinkead  
5251 NE 103rd Terrace  
Bronson, Florida 32621



Dear Planning and Zoning Commission,

I am writing in response to the letter I received of the proposed 3RT Sand Mine located in Section 35, Township 12 S, Range 17 E in Levy County Florida.

I urge you to deny this Special Exemption request. As a life long 6<sup>th</sup> Generation Floridian from Pinellas County, I have seen the exponential growth that can occur. Levy County has been my home for over 12 years now and I am starting to see the same growth I once saw in Pinellas County in the 1980's. Pinellas County is now miserable and unrecognizable, I am fortunate that I was able to leave it for the peace and quiet Bronson and Levy County offer. I fear that this Mine will greatly disturb that peace and quiet and further the development of our area. Large equipment and the constant dump truck traffic would be devastating to our local farms, residences and roads.

Let's keep Bronson and Levy County Beautiful.

Thank you,

Matthew Leo Scott  
9690 NE 35<sup>th</sup> Street  
Bronson, Florida 32621

Mailing Address:  
Matthew Leo Scott  
P.O. Box 1463  
Bronson, Florida 32621

A handwritten signature in black ink, appearing to read "Matthew Leo Scott", with a long horizontal flourish extending to the right.

April 20<sup>th</sup> 2023

Attention Levy County Planning Commission,

It is ludicrous to plan a Major Mining Operation so near Public Housing!

I own property right near this area and I am very upset with this situation. What are you ALL thinking, this plan is WRONG!

Don't let this happen!!

Ellen Nussbaum (property owner Levy County)

## Levy Planning

**From:** Ali Tretheway  
**Sent:** Monday, May 1, 2023 8:39 AM  
**To:** Levy County Commission District 1; Levy County Commission District 2; Levy County Commission District 3; Levy County Commission District 4; Levy County Commission District 5  
**Cc:** Stacey Hectus; Wilbur Dean; Levy Planning  
**Subject:** FW: Public Comment Form

Please see the below public comment for the Planning Commission meeting tonight.

Alicia Tretheway, MPA  
Procurement Coordinator/ADA Coordinator  
Levy County Board of County Commission  
310 School Street  
P.O. Box 310  
Bronson, Florida 32621  
Cell: 352-441-0964  
Phone: 352-486-5218, Ext 2  
Fax: 352-486-5167

Connect with Levy County:



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**From:** noreply@revize.com <noreply@revize.com>  
**Sent:** Friday, April 28, 2023 7:19 PM  
**To:** LevyBOCC <levybocc@levycounty.org>  
**Cc:** Ali Tretheway <tretheway-ali@levycounty.org>  
**Subject:** Public Comment Form

First-and-Last-Name = Robert Arnold  
Organization-Name-if-applicable =  
Address- = 10930 ne 85 st  
City = Bronson  
State = Florida  
PostZip-Code = 32621  
Email = [robertvarnold@gmail.com](mailto:robertvarnold@gmail.com)  
Meeting-Date = May 1, 2023  
Agenda-Item-if-applicable =



Comment = The proposed exemption to allow a sand mine under 50-719 should require environmental studies as the area in question is residential. I question if there have been studies to verify that there would not be negative impacts to our water in the aquifer. As citizens in this area, we must protect and preserve our rural communities.  
Client IP = 172.59.65.177

## Levy Planning

**From:** Ali Tretheway  
**Sent:** Friday, April 28, 2023 4:10 PM  
**To:** Levy County Commission District 1; Levy County Commission District 2; Levy County Commission District 3; Levy County Commission District 4; Levy County Commission District 5  
**Cc:** Stacey Hectus; Levy Planning; Wilbur Dean  
**Subject:** FW: Public Comment Form

This is for your meeting on May 1<sup>st</sup>.

Alicia Tretheway, MPA  
Procurement Coordinator/ADA Coordinator  
Levy County Board of County Commission  
310 School Street  
P.O. Box 310  
Bronson, Florida 32621  
Cell: 352-441-0964  
Phone: 352-486-5218, Ext 2  
Fax: 352-486-5167

Connect with Levy County:



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**From:** noreply@revize.com <noreply@revize.com>  
**Sent:** Friday, April 28, 2023 4:09 PM  
**To:** LevyBOCC <levybocc@levycounty.org>  
**Cc:** Ali Tretheway <tretheway-ali@levycounty.org>  
**Subject:** Public Comment Form

First-and-Last-Name = Robin dvorshak  
Organization-Name-if-applicable = Land owner  
Address- = 135th Ave and 43rd land  
City = Williston  
State = FL  
PostZip-Code = 32696  
Email = [dvorshak@msn.com](mailto:dvorshak@msn.com)  
Meeting-Date = May 1st 2023  
Agenda-Item-if-applicable = Petition no Se 23-01

omment = We opposed to the petition No SE 23-01 because of the air pollution it may cause Sand mining from rivers and marine ecosystems, leads to "significant environmental impacts, including coastal and river erosion, shrinking deltas, land-use changes, air pollution, salinization of coastal aquifers and groundwater reserves, threats to freshwater and marine fisheries and biodiversity as well as lots of traffic in the area.. people move to this area for less traffic, the cleaner environment and the peacefulness... Thank you  
Client IP = 107.216.133.133

Planning and Zoning Department  
320 Mongo Street  
Bronson, FL 32621

Levy County Planning Commission,

April 27, 2023

We are writing this letter to express our strong opposition in regards to PETITION NO SE 23-01, the request for a special exception for a major mining operation. We would also like to voice our legal standing in this issue should it be permitted. We feel as property owners on the border of two of four of these mentioned parcels, that this mining operation will have a direct impact on our land from possible land erosion, the dangers/effects that it will bring to the natural habitat, noise pollution, and air and water quality. Not to mention the possible decrease of our property value and use being this close to a mining site.

With mining, the possibility of land erosion and the natural habitat effects to my property and surrounding areas is very probable. As with all erosion, it also disturbs existing plant life and habitat that is in direct contact. This area is very well known for the gopher tortoise. How will this effect their populations? They are currently protected under state law. Will this exception exclude them from the law as well? From my understanding, as a lifetime Florida resident, any land clearing or development being executed must file for permits before capturing and relocating this species. Is the FWC also aware of this petition? Have they been notified of this proposed operation? These parcels also border an agricultural research center. How will they and future agricultural be effected by this mining.

With heavy industrial activities, the probability of noise pollution is very high. The equipment being used alone produces a considerable amount of noise to be disruptive to the peacefulness that this area brings. Not to mention the extra roads and large vehicles that will be going in and out of this operation. All of which have a major environmental impact. We have lived in many areas of Florida and specifically purchased our property with the noise levels in mind. The tranquility of nature that surrounds us is what brought us here. The parcels in question directly border our property. There is no doubt in our minds that we will be impacted by this decision.

With strip mining, the probability of air and water pollution is also very high. Excavation of minerals requires digging, which produces dust. Again, our property directly borders these parcels. We, in no way desire to breathe in the dust/particulates that will inherently be created when digging into the ground. Will there be any types of buffers put up in our area to avoid this dust from being dispersed into our neighboring property? Will we now have layers of sand covering our homes and vehicles. What about the wildlife? Will they also have to breathe in the polluted air? We are closely located to Goethe State Forest. How will this mining effect the natural habitat in that area? Air quality is a concern for many residents as new development is always occurring. This operation will create more of a local issue for the surrounding residents and habitat. The amount of minerals in the dust and particulates created, can cause breathing issues for all those closely effected whether human or animal. Possible water pollution can also occur through mining due to collapse of the water table. Will this have an effect on our local springs?

Our property value is most likely to decrease in the event of the approval of this exception as well. Many people purchase in this area to be able to homestead on their property. With all that is proposed, we feel that our equity in our personal properties will diminish. Not to mention the fact that all the noise and constant disruption of our ground area with mining will effect any possibility of having livestock that could be part of our own homesteading dream. Who would desire to live next to a mining operation that is constantly creating a disruption to our daily lives?

Again, as residents directly bordering this location being petitioned, we highly oppose this petition from moving forward. The direct effects from this will be detrimental to our personal well being and lifestyles. If any damages occur resulting from the approval of this petition, we will be seeking judicial relief according to our rights as property owners.

Thank you for your continued service and support for our community.

Best regards,

Jeff Godoy  
Monica Torres

Parcel ID# 0359700900

1869 se 19 st.  
Homestead, FL 33035



4/26/23

Levy County  
Planning and Zoning Dept  
320 Mongo Street  
Bronson, FL 32621

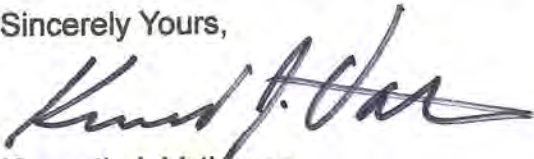
Re: Petition No SE 23-01 – 3RT Sand Mine Operation

To whom it may concern;

As I am unable to attend the public hearing in person, may this letter serve as an adamant 'No' to the Request of a Special Exception for a major mining operation to be allowed in the designated area.

I am not only concerned about property values, but the effect such an operation can have on the environment, disappearing green space and the water supply for existing residents and our future generations.

Sincerely Yours,



Kenneth J. Vathauer  
Parcel ID1641700000

## Philip Porter

4451 NE County Road 337  
Bronson Florida 32621

June 1, 2023

Stacey Hectus  
Director, Planning and Zoning  
320 Mongo St.  
Bronson, Florida 32621

Dear Director Hectus,

RE: Petition No SE 23-01

Since January 2023 massive amounts of sand have been removed from a sand pit on land owned by Thomas Lee Aquilla Jr which sits on parcel 03606000000. Hundreds of dump trucks have been hauling sand out of that pit daily. They enter and exit the pit from NE 40th St onto CR 337. This land is zoned pasture II. Recently it has stopped and things have returned to normal. However, now there is a proposed zoning change to allow a major mining operation.

Mr. Aquilla is a direct neighbor of Ryan Thomas. Mr. Thomas is the owner of the mining co that has requested a zoning change to mine nearby parcels of agricultural land. The proposed ingress/egress is by NE 30th St. to CR 337. These are not small dump trucks. What's even worse is they gear up and down right in front of my house. This activity continued from dawn to dusk. Every time one passes it rumbles the ground, shakes the house and rattles the windows. My dogs were in continuous distress. This is not an exaggeration. The extremity of this nuisance is akin to torture.

I bought my property for the ambiance of a rural setting and based in part on the zoning of residential/agricultural. I only have a limited time left and I want to spend it communing with nature not with dump trucks. This will not stand. If I have to take legal action I will. If I have to move, I will expect compensation for losses and expense.

Further, there appears to be misinformation spreading online and by word of mouth, that the purpose of the zoning change is only to allow Mr.



Thomas to level his land for farming purposes. This would appear to be a total fabrication. If the source of this fabrication has any connection to those requesting this zoning change, this may constitute fraud. It may be used to quell dissent.

Both of these individuals have and/or are engaging in a commercial activity without paying the true cost of that activity. They want others to bear the costs of the externalities. Essentially, They want others to subsidize their business without compensation. Their activities have changed a pastoral environment to a toxic one.

In summary: I oppose this petition.

Sincerely yours,



Philip Porter

Levy County  
Board of County Commissioners  
Levy County, Florida 32621

To all commissioners:

June 21, 2023

This is in regards to the proposed 3RT Sand Mine on 400 acres of land located in Section 35, Township 12, Range 17E, Levy county Florida. Parcel numbers as follows 0359700000, 0359700300, 0359700400, and 0359701600.

As a taxpaying citizen of Levy County, I do not feel this proposed operation in this rural neighborhood would be in any way beneficial to Levy County as the minerals excavated would more than likely be shipped out of the county.

I feel it would be a detriment to our quiet neighborhood, and a danger to the children who live here as they would be drawn to it for a place to run their four wheelers and mini bikes. We all know fences would not keep them out.

Sand pits are known to be 50 to 70 feet deep which concerns me in respect to the water wells in the area with a possibility of contamination.

I also would like to know how an operation of this kind would affect the environment in the immediate area in respect to noise pollution, air quality and soil contamination.

Sincerely,

*Cheryl A. Skelly*

Cheryl A. Skelly  
5491 N.E. 103 Terrace  
Bronson, Florida 32621  
C/planning and zoning department



## Levy County Planning Commission Agenda Item Summary Form

1. **Name, Title:** Stacey Hectus, Planning & Zoning Director
2. **Organization:** Planning & Zoning
3. **Telephone:** 352-486-5203
4. **Meeting Date:** July 10, 2023
5. **Requested Action:**

PETITION NO. FP 23-03: McMillen Surveying, representing Kristine Kelley of Kristine's Acres, petitioning the Commission for a Final Plat to correct the incorrect division of land, Parcel number 0446500300 and 0446500500. Said parcels are located in Section 20, Township 13S, Range 18E in Levy County, Florida and have a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). Each parcel contains 5 acres MOL, Final Platt will complete the process to produce a legal 10 acre parcel MOL.

6. **Parcel Number:** 0446500300 and 0446500500

*Recommend Approval*

*Recommend Denial*

**Final Plat Application  
Levy County, Florida**

Filing Date: \_\_\_\_\_  
Amount of Fee: \$400

Petition Number: FP \_\_\_\_\_  
Validation Number: \_\_\_\_\_

**TO THE LEVY COUNTY PLANNING COMMISSION:**

Application is hereby made to the County Planning Commission of Levy County, pursuant to the provisions of Chapter 163, Florida Statutes, as amended, and the Levy County Land Development Code, Chapter 50-534, petitioning for a Final Plat on the following described:

<b>I. Applicant and Request Information - Please print unless otherwise specified.</b>	
Owner's Name: <u>Kristine Kelley</u>	Surveyor Name: McMillen Surveying, Inc - _____
Address: <u>149 N Golf Harbor Path</u>	Stephen M. McMillen, PSM _____
City: <u>Inverness, FL</u> Zip Code: <u>34450</u>	Address: 444 NW Main Street _____
Phone: _____	Williston, FL 32696 _____
email: <u>thatfaithgirl@yahoo.com</u>	Phone: (352) 528-6277 _____
	Email: quotes@mcsurveying.com _____

<b>II. Parcel Information</b>		
1. Subdivision Name: <u>Kristine's Acres</u>	_____	
2. Date Preliminary Plat Approved: _____	_____	
3. Parcel Number (s)	Section/Township/Range	Acreage
A. <u>04465-003-00</u>	<u>20-13-18</u>	<u>5.026</u>
B. <u>04465-005-00</u>	_____	<u>5.085</u>
C. _____	_____	_____
	Total Acreage:	<u>10.111</u>

3. Locational Description (Please attach copy of legal description or existing plat if property in question is a re-subdivision): see attached
4. Proposed Use of Property: Residential

**Final Plat Application  
Levy County, Florida**

- 
5. Present Zoning /Land Use: A/R
6. Was a Zoning Change Requested? Yes  No   
[if yes, the plat may not be approved until it conforms with the local zoning. Include a certification of zoning compliance if a change was requested]
7. Have all required improvements been installed? Yes  No   
[If no, include detailed estimates of cost and a statement relative to the method of improvement guarantee. All estimates must be approved by the County Commission.]
8. Do you proposed deed restrictions? Yes  No   
[If yes, please attach copy]

**III. To Be Supplied At The Time Of Submission:**

Attach the items in the order below. The application will not be processed without these items. Any information or changes must be submitted, in writing to the Levy County Planning and Zoning Department, one week prior to the scheduled Levy County Planning Commission Public Meeting.

1. Final Plat Application 2. Property Deed. The most recent one pertaining to the property being requested to be subdivided, obtained from the Clerk of Circuit Court's Office or property statement from the Tax Collector's Office 3. Location map identifying subject parcel with either a color or pattern 4. Surface water permit or exemption 5. Signed and sealed boundary survey's. (office, road and bridge and engineering) 6. Current title opinion.

**NOTE:** See checklist for appropriate number of copies for submittal

**Final Plat Application  
Levy County, Florida**

---

**IV. APPLICATION INSTRUCTIONS:**

- ( a ) An application for a Final Plat must be accompanied by a fee of \$400.00 **plus all fees and costs for services of County Engineer, outside legal counsel or other professional consultants in connection with the application.** Please note, application fee may be subject to change.
- ( b ) If the applicant is not the owner of record of the property, the owner must agree to this application either by signing the application form, or by submitting a notarized letter authorizing the applicant to act as an agent. Owner's authorization is required at the time this application is submitted.
- ( c ) All required documentation and submission material is required to accompany the application at the time the request is submitted. Applications are screened for completeness. Depending on the proposed use, additional information may be required. **Failure to provide all information and submission material required shall delay the public review of the application until such time as all materials are received.**
- ( d ) The Final Plat applications are processed once a month. Applications received by the first (1<sup>st</sup>) day of the month preceding a regular monthly meeting of the planning commission will **tentatively** be scheduled, advertised and presented at a public hearing the following month. Applications received after the first (1<sup>st</sup>) of the month will not be scheduled for the following month.
- ( e ) Applications may be submitted as follows:
  - In Person: Levy County Planning and Zoning Department located at 320 Mongo Street, Bronson, Florida 32621
  - By Mail: Levy County Planning and Zoning, 320 Mongo Street, Bronson, FL 32621
- ( f ) This office will prepare the poster(s) and place them on the property involved in this request.
- ( g ) Abutting property owners will be notified by mail of the request. "Abutting property" is any property immediately adjacent or contiguous to the property which is the subject of this request or located within 300' (three hundred feet) of the subject property lines including, immediately across any road or public right-of-way for said property.

Final Plat Application  
Levy County, Florida

- (h) The applicant, or his duly authorized representative, shall attend the planning commission meeting at which the preliminary plat is to receive. The planning commission may, in its discretion, either proceed with the public hearing and consideration of an application or table the application in the event the applicant or his duly authorized representative does not appear at the planning commission meeting. [Levy County Land Development Code, Chapter 50, Section 537]

**Additional Assistance:** If you require further information, please contact the Levy County Planning and Zoning Department at (352)486-5203.

I, \_\_\_\_\_, have read and understand the instructions and submission requirements stated in this application. Approval granted by said Commission in no way constitutes a waiver from any applicable Local, State, or Federal regulation.

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner or authorized agent of the above described property.

**OFFICE USE ONLY:**

Planning Commission Public Hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_

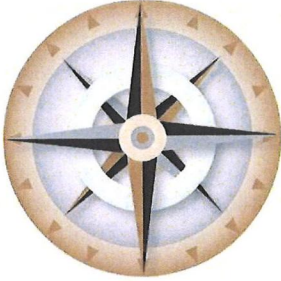
Board of County Commissioners Hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_

Planning Commission Action:                      Approval                          Denial                     

Notes, Instructions and Comments:

\_\_\_\_\_

\_\_\_\_\_



# McMillen Surveying, Inc.

444 Northwest Main Street  
Williston, Florida, 32696  
Office: 352 528-6277

State of Florida  
County of Levy

I, Kristine Kelley, hereby give Stephen M. McMillen, P.S.M., President of McMillen Surveying, Inc, the authority to act as my Authorized Agent to facilitate the **Platting Process** upon "Kristine's Acres" on the following parcel lying in:

Section 20, Township 13 South, Range 18 East,  
County: Levy  
State: Florida  
Parcel ID# \_\_\_\_\_, City: Williston

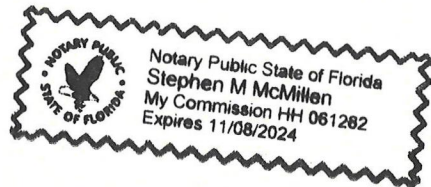
04465-003-00  
04465-005-00

Signature [Handwritten Signature]  
Printed KRISTINE KELLEY Date: 11.2.22

Signature \_\_\_\_\_  
Printed \_\_\_\_\_ Date: \_\_\_\_\_

Notary Public, State of Florida  
At Large

[Handwritten Signature]  
My Commission Expires: 11-08-24







**Summary**

Parcel ID 0446500300  
 Location Address  
 Neighborhood 05.00 (5)  
 Legal Description\* 20-13-18 0004.69 ACRES NORTH 296 FT OF WEST 740 FT OF SW1/4 OF NW1/4 -LESS WEST 50 FT C-316 RD R/W OR BOOK 1522 PAGE 147  
*\*The legal description shown here may be condensed, a full legal description should be obtained from a recorded deed for legal purposes.*  
 Property Use Code VACANT (0000)  
 Subdivision N/A  
 Sec/Twp/Rng 20-13-18  
 Tax District SW FLORIDA WT MG (District SW)  
 Millage Rate 15.7218  
 Acreage 4.690  
 Homestead N  
 Ag Classification No

[View Map](#)

**Owner**

Owner Name [Rooney Brendan J](#) 100%  
[Rooney Nicholette](#) 100%  
 Mailing Address 4615 SE 57TH LN  
 Ocala, FL 34480

**Valuation**

	2022 Preliminary Value Summary
Building Value	\$0
Extra Features Value	\$0
Market Land Value	\$55,717
Ag Land Value	\$55,717
Just (Market) Value	\$55,717
Assessed Value	\$40,860
Exempt Value	\$0
Taxable Value	\$40,860
Cap Differential	\$14,857
Previous Year Value	\$37,145

**Exemptions**

Homestead  2nd Homestead  Widow/er  Disability  Seniors  Veterans  Other

**Land Line**

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
VAC LAND	0	0	4.69	AC	\$55,717

**Sales**

Sale Date	Sale Price	Instrument		Qualification	Vacant/Improved	Grantor	Grantee
		Type	Book Page				
1/13/2020	\$50,000.00	WM	<a href="#">1522</a> <a href="#">147</a>	U	V	KATJE WENDY -ET AL-	ROONEY BRENDAN J
12/31/2019	\$0.00	FJ	<a href="#">1520</a> <a href="#">58</a>	U	V	WYNNE EILEEN KAY -ESTATE-	ESTATE OF CLARENCE NORMAN ENGLR JR
12/3/2019	\$0.00	FJ	<a href="#">1516</a> <a href="#">688</a>	U	V	ENGL CLARENCE NORMAN JR - ESTATE-	KATJE WENDY C
2/15/1994	\$0.00	QD	<a href="#">517</a> <a href="#">618</a>	Q	V	WYNNE WILLIAM L	WYNNE EILEEN KAY
7/18/1991	\$10,000.00	WD	<a href="#">436</a> <a href="#">180</a>	Q	V	STOEL FREDERICK RAY	WYNNE EILEEN KAY & WILLIAM L
12/29/1990	\$0.00	DC	<a href="#">417</a> <a href="#">286</a>	Q	V	STOEL EDITH E	STOEL CHARLES L
12/18/1990	\$0.00	WD	<a href="#">417</a> <a href="#">293</a>	Q	V	STOEL CHARLES L & SARAH ELIZABETH	STOEL FREDERICK RAY
10/20/1989	\$0.00	QD	<a href="#">372</a> <a href="#">171</a>	Q	V	STOEL EDITH E	STOEL CHARLES L
9/20/1989	\$0.00	WD	<a href="#">369</a> <a href="#">666</a>	Q	V	STOEL ANDREW & EDITH E	STOEL EDITH E
9/4/1974	\$0.00	WD	<a href="#">66</a> <a href="#">105</a>	Q	V	KENNEN WILLIAM R & DORIS V	STOEL ANDREW & EDITH E



**Summary**

Parcel ID 0446500500  
 Location Address  
 Neighborhood 05.00 (5)  
 Legal Description\* 20-13-18 0005.08 ACRES NORTH 376 FT OF SW1/4 OF NW1/4 LESS WEST 740 FT OR BOOK 1522 PAGE 147  
*\*The legal description shown here may be condensed, a full legal description should be obtained from a recorded deed for legal purposes.*  
 Property Use Code VACANT (0000)  
 Subdivision N/A  
 Sec/Twp/Rng 20-13-18  
 Tax District SW FLORIDA WT MG (District SW)  
 Millage Rate 15.7218  
 Acreage 5.080  
 Homestead N  
 Ag Classification No

[View Map](#)

**Owner**

Owner Name [Rooney Brendan J](#) 100%  
[Rooney Nicholette](#) 100%  
 Mailing Address 4615 SE 57TH LN  
 Ocala, FL 34480

**Valuation**

	2022 Preliminary Value Summary
Building Value	\$0
Extra Features Value	\$0
Market Land Value	\$56,578
Ag Land Value	\$56,578
Just (Market) Value	\$56,578
Assessed Value	\$41,491
Exempt Value	\$0
Taxable Value	\$41,491
Cap Differential	\$15,087
Previous Year Value	\$37,719

**Exemptions**

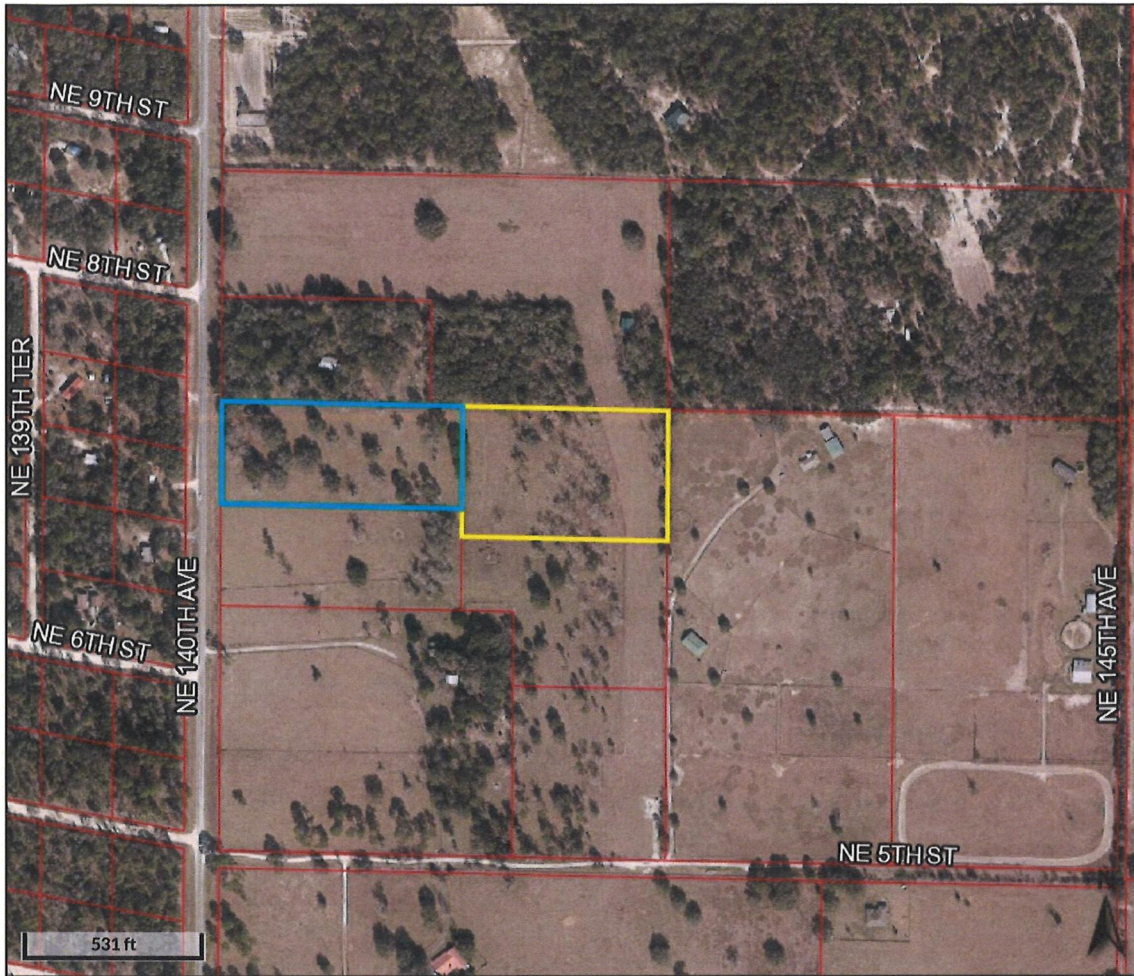
Homestead	2nd Homestead	Widow/er	Disability	Seniors	Veterans	Other
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**Land Line**

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
VAC LAND	0	0	5.08	AC	\$56,578

**Sales**

Sale Date	Sale Price	Instrument		Qualification	Vacant/Improved	Grantor	Grantee
		Type	Book Page				
1/13/2020	\$50,000.00	WM	<a href="#">1522</a> <a href="#">147</a>	U	V	KATJE WENDY C -ET AL-	ROONEY BRENDAN J
12/31/2019	\$0.00	FJ	<a href="#">1520</a> <a href="#">58</a>	U	V	WYNNE EILEEN KAY -ESTATE-	ESTATE OF CLARENCE NORMAN ENGLR JR
12/3/2019	\$0.00	FJ	<a href="#">1516</a> <a href="#">688</a>	U	V	ENGL CLARENCE NORMAN JR -ESTATE-	KATJE WENDY C
12/29/1990	\$0.00	DC	<a href="#">417</a> <a href="#">286</a>	Q	V	STOEL EDITH E	STOEL CHARLES L
12/18/1990	\$0.00	WD	<a href="#">417</a> <a href="#">299</a>	Q	V	STOEL CHARLES L & SARAH ELIZABETH	WYNN EILEEN KAY
10/20/1989	\$0.00	QD	<a href="#">372</a> <a href="#">171</a>	Q	V	STOEL EDITH E	STOEL CHARLES L
9/20/1989	\$0.00	WD	<a href="#">369</a> <a href="#">666</a>	Q	V	STOEL ANDREW & EDITH E	STOEL EDITH E
9/4/1974	\$0.00	WD	<a href="#">66</a> <a href="#">105</a>	Q	V	KENNEN WILLIAM R & DORIS V	STOEL ANDREW & EDITH E



Overview



Legend

- Parcels
- Parcel Lines**
- <all other values>
- Construction
- Easement
- Lot
- Miscellaneous
- Parcel
- Private Road
- Road Right of Way
- Subdivision
- Water
- Roads**
- City Labels**

<b>Parcel ID</b>	0446500300	<b>Physical Address</b>		<b>Building Value</b>	\$0	<b>Last 2 Sales</b>							
<b>Property Use</b>	0000 - VAC LAND	<b>Mailing Address</b>	ROONEY BRENDAN	<b>Extra Feature Value</b>	\$0	<b>Date</b>	1/13/2020	<b>Price</b>	\$50000	<b>Reason</b>	05	<b>Qual</b>	U
<b>Taxing District</b>	SW FLORIDA WT		J	<b>Market Land Value</b>	\$55,717		7/18/1991	\$10000		n/a		Q	
<b>Acres</b>	4.69		4615 SE 57TH LN	<b>Ag Land Value</b>	\$55,717								
			OCALA FL 34480	<b>Just Value</b>	\$55,717								
				<b>Assessed Value</b>	\$40,860								
				<b>Taxable Value</b>	\$40,860								

Date created: 6/2/2022  
 Last Data Uploaded: 6/1/2022 7:24:40 PM

Developed by Schneider  
 GEOSPATIAL

# Levy Abstract and Title Company

"Serving Levy County Since 1927"

## Title Insurance

H. C. HENDERSON, JR.  
(1939 - 2017)  
SKIPPER HENDERSON PRES.  
CERTIFIED LAND - TITLE SEARCHER

## Closings

ADAM C. HENDERSON V.P.  
BRANCH MANAGER



**March 28, 2023**

**CERTIFIED PARTY: LEVY COUNTY, BOARD OF COUNTY COMMISSIONERS  
PO BOX 310, BRONSON, FL 32621**

**RE: PROPERTY INFORMATION REPORT – Our File: T-29049**

**PROPOSED SUBDIVISION NAME:**

**“KRISTINE’S ACRES”**

**LEGAL SHOWN ON PROPOSED PLAT:**

**The North 296.00 feet of the West 740.0 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.**

**LESS and EXCEPT the right of way for C-316 over the West 50 feet thereof and subject to a 15 foot easement along the South side thereof.**

**AND**

**The North 376.00 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.**

**LESS the West 740.00 feet thereof and subject to a 30 foot easement over the West 30 feet of the South 95.00 feet thereof.**

**PERIOD OF SEARCH: 20 years last past, ending 03/26/2023**

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Pursuant to F.S. 177.041(2) and F.S. 177.081(2), and Levy County Code of Ordinances Sec. 50-556(h), we have made a search of the Public Records of Levy County, Florida, in connection with the above, and certify as follows:

**RECORD FEE SIMPLE TITLE HOLDER**

**KRISTINE KELLEY**, by virtue of the following document:

**Warranty Deed from Brendan J. Rooney and Nicholette Rooney, husband and wife, dated 09/12/2022, filed 12/06/2022 and recorded in O.R. Book 1667, Page 705 (#711219), Public Records of Levy County, Florida.**



Main Office  
50 Picnic St. • P.O. Box 148, Bronson, FL 32621  
352-486-2116 • Fax 352-486-4200 • E-mail: levyab1@aol.com  
www.levyabstract.com



**MORTGAGES – (not satisfied or released of record)**

**NONE**

**EASEMENTS OF RECORD**

1. **Grant of Easement** to Sabal Trail Transmission, LLC, as attached to Stipulated Final Judgment of Condemnation dated 04/08/2019, filed 05/24/2019 and recorded in O.R. Book 1494, Page 936 (#652639), Public Records of Levy County, Florida.

**REAL ESTATE TAX INFORMATION:**

**2022 Taxes**

Assessed to:                      Brendan J. & Nicholette Rooney  
Tax ID#:                              0446500300 & 0446500500

**DELINQUENT TAXES YES \_\_\_ NO X**

(If “Yes”, state the year and tax certificate number(s))

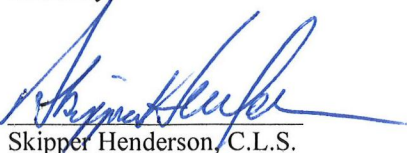
**NOTE:** This report does not in any way purport to show ownership of any underlying oil, gas and/or mineral rights.

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

This report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. Its effective date shall be the date above specified through which the public records were searched.

Should you have any questions concerning this certification, or any other matter, we will be happy to assist you.

Sincerely,



\_\_\_\_\_  
Skipper Henderson, C.L.S.

Vice President

**SH/dkr  
enclosures**

NSTR # 652639, OR BK: 1494 PG: 936, Recorded 5/24/2019 1:43 PM

Rec: \$78.00 Danny J. Shipp, Clerk of the Circuit Court Levy FL Deputy Clerk UWILLIAMS

MARIKIS HARRIS BAUERLE ZIEGLER LOPEZ  
1201 EAST ROBINSON ST  
ORLANDO, FL 32801

✓R

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION**

**SABAL TRAIL TRANSMISSION,  
LLC,**

**Plaintiff,**

**vs.**

**+/- 0.981 ACRES OF LAND IN LEVY  
COUNTY FLORIDA, UNKNOWN  
HEIRS, DEVISEES AND  
SUCCESSORS OF EILEEN KAY  
WYNNE, DECEASED AND  
UNKNOWN OWNERS, IF ANY**

**Case No.: 1:16-cv-00097-MW-  
GRJ Tract No(s): FL-LE-075.400**

**Defendants.**

\_\_\_\_\_ /

**STIPULATED FINAL JUDGMENT OF CONDEMNATION**

THIS CAUSE is before the Court, without hearing, on the parties' Joint Motion for Stipulated Final Judgment of Condemnation (Doc. 125). Pursuant to the Natural Gas Act, 15 U.S.C. §§ 717-717z, Sabal Trail Transmission, LLC ("Sabal Trail") filed the above-styled action to condemn easement interests (the "Easements"). (Doc. 1)

The Court previously entered a preliminary injunction granting Sabal Trail the ability to access and construct within the Easements (Doc. 33). In Natural Gas Act cases, such as this one, title does not pass until compensation is ascertained

(whether by agreement or verdict) and paid. *See Steckman Ridge, GP, LLC v. 11.078 Acres, 2008 WL 4346405, \*10* (W.D. Penn. Sept. 19, 2008) (citing *Danforth v. United States, 308 U.S. 271, 284-85* (1939)). Having agreed upon compensation due in exchange for the Easements, the parties, through joint motion, request that the Court enter this Stipulated Final Judgment of Condemnation granting title to the Easements.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The parties' Joint Motion for Entry of Stipulated Final Judgment of Condemnation (Doc. 125) is **GRANTED**.
2. Payment to Defendant shall be made within ten (10) business days after the date of this Order to The Brigham Property Rights Law Firm, PLLC Trust Account in the amount agreed to by the parties.
3. Upon payment of the agreed amount to The Brigham Property Rights Law Firm, PLLC Trust Account, title to the Easements pursuant to the Grant of Easement attached hereto as Exhibit A shall vest in and transfer to Sabal Trail.
4. Within two (2) business days after receipt of such payment into The Brigham Property Rights Law Firm, PLLC Trust Account, Defendant shall evidence payment by filing a Notice of Receipt of Payment with the Court.

5. All claims and defenses for attorney's fees and costs (including expert costs) are preserved.
6. The Court reserves jurisdiction to determine entitlement to and amount of attorney's fees and costs (including expert costs), as well as to enforce the terms of the parties' settlement agreement and this judgment.

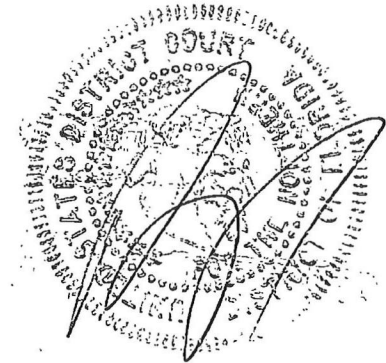
**SO ORDERED on April 8, 2019.**

Unofficial Copy

**s/ MARK E. WALKER**  
**Chief United States District Judge**

Copies furnished to:

Counsel of Record





**EXHIBIT A****GRANT OF EASEMENT**

STATE OF FLORIDA  
COUNTY OF LEVY

TRACT NO. FL-LE-075.400

KNOWN ALL BY THESE PRESENTS: that **ROBERT B. ANGLE, JR., ATTORNEY as Successor Executor of the ESTATE OF EILEEN KAY WYNNE**, whose address for purpose of this grant is c/o Charles L. Stoel, P.O. Box 177, Williston, Florida 32696 (hereinafter called "Grantor", whether one or more), for and in consideration of valuable consideration paid by **SABAL TRAIL TRANSMISSION, LLC, a Delaware limited liability company**, whose address is 5400 Westheimer Court, Houston, Texas 77056 (hereinafter called "Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby give, grant, bargain, sell and convey unto Grantee, its successors and assigns, a permanent easement ("Permanent Easement") solely for the purpose of constructing, laying, maintaining, operating, inspecting, repairing, replacing, removing, reconstructing and abandoning not more than one (1) underground pipeline and any and all necessary or useful below ground appurtenances thereto, including but not limited to fittings, pipeline data acquisition and telecommunication equipment, electric service for same, together with above ground pipeline markers, cathodic protection devices and AC mitigation devices ("Pipeline Facilities"), all of which shall be and remain the property of Grantee, solely and exclusively for the transportation of natural gas through the pipeline to be located on a portion of the following described land:

Being the land described in that certain Warranty Deed executed by Charles L. Stoel, joined by his wife, Sarah Elizabeth Stoel, in favor of Eileen Kay Wynne, dated December 18, 1990, and recorded December 31, 1990, in Official Records Book 417, Page 299, Public Records of Levy County, Florida ("Grantor's Land").

The Permanent Easement herein granted shall be a total width of fifty feet (50') as described on Exhibit A attached hereto and made a part hereof and generally shown on the Exhibit A drawing. The installation and construction methods used to install the pipeline shall be consistent with Grantee's federal and state approvals.

The Pipeline Facilities shall only be used for the purpose of transporting natural gas. The Pipeline Facilities shall be designed, constructed and operated in accordance with U.S. Department of Transportation requirements for interstate natural gas pipelines. Except for pipeline markers, AC mitigation devices and cathodic protection devices, Grantee shall cause no other above ground appurtenances or improvements to be constructed on the Permanent Easement in connection with the Pipeline Facilities without the prior express written consent of Grantor, which shall not be unreasonably withheld.

To facilitate the construction of the Pipeline Facilities, Grantee has used the temporary workspaces shown on the attached Exhibit A drawing and identified as "Temporary Workspace" and "Additional Temporary Workspace" (collectively, the "Temporary Workspace"). As of the date hereof, Grantee's right of possession and use of the Temporary Workspace for construction purposes is terminated. However, Grantee will still be permitted access to the Temporary Workspace to monitor and maintain the restoration of the Temporary Workspace in accordance with Grantee's federal and state authorizations for the pipeline installation. Grantee shall not construct any permanent improvements within the Temporary Workspace.

Grantor and Grantee agree that the above-mentioned consideration included payment for all damages for the construction of the Pipeline Facilities, including any severance damages to Grantor's Land.

The pipeline shall not exceed thirty-six inches (36") in diameter and shall be buried to a minimum depth of thirty-six inches (36") from the top of the pipeline to the existing surface of the ground. Neither party shall diminish or reduce the soil cover over said pipeline without the prior written consent of the other party.

Grantee has restored the contours of the surface of the Permanent Easement and the Temporary Workspace to their prior condition, as near as reasonably practicable.

The Permanent Easement includes a right of access including ingress and egress over, upon and across the Permanent Easement, but does not include any rights to ingress and egress over any other portion of Grantor's Land. The right of access is limited solely for the purpose of operating and maintaining the Pipeline Facilities and for vegetative restoration and is not to be construed as a general grant of access easement.

Grantor reserves the right to the full use and enjoyment of and may continue to use the Permanent Easement for all lawful purposes that do not interfere with the rights conveyed to Grantee herein; provided that Grantor shall not create or maintain any lake, pond, berm, reservoir or water impoundment, cultivate any trees, engage in excavation or construct or permit to be constructed any building, structure or other improvement or obstruction on, over, under, above, across, within or through the Permanent Easement, without the express written consent of Grantee.

Grantor shall be permitted to cross the Permanent Easement for purposes of constructing ingress and egress and standard utility crossings, provided that Grantor and Grantee shall first mutually agree upon the design, location and construction methods for such crossings in accordance with the terms and conditions of that certain Agreement Regarding Grant of Easement by and between Grantor and Grantee (the "Agreement"). Grantee's consent to such crossings shall not be unreasonably withheld.

This Grant of Easement shall include, and Grantee shall have, all other rights and benefits necessary or convenient for the full enjoyment of the use of the rights herein granted, including but not limited to: the rights to remove, clear and to keep clear, at any time in Grantee's sole and absolute discretion and with no additional compensation to Grantor, all buildings, walls or similar structures, above or below ground swimming pool, decks, pipelines and conduits, septic systems, leach fields, wells, rocks, trees, brush, limbs and any other structures or obstructions in or on the Permanent Easement which might interfere with the use of the Permanent Easement or the free and full right of ingress and egress; and to do any other lawful activities which are incidental to or helpful for the intended uses of the Permanent Easement set forth above.

Grantor shall not change the grade of, excavate, fill or flood the Permanent Easement, or interfere with the Grantee's vegetative maintenance activities to the extent deemed necessary by Grantee.

The failure of Grantee to exercise any rights herein conveyed in any single instance shall not be considered a waiver of such rights and shall not bar Grantee from exercising any such rights in the future, or if necessary, seeking an appropriate remedy in conjunction with such rights. In the event that the use of Grantee's natural gas pipeline shall not be maintained for the purposes herein granted for a period of three (3) consecutive calendar years, then upon receipt of a non-appealable abandonment order from the Federal Energy Regulatory Commission ("FERC"), Grantee shall have no further rights with respect to the pipeline in the

Permanent Easement herein acquired except the right to abandon the pipeline in place or the right and privilege to remove the pipeline. If Grantee removes the pipeline, Grantee shall restore the surface of the Permanent Easement to as near as reasonably practicable to its condition prior to such removal in accordance with the FERC abandonment order. Grantee shall, within six (6) months after the abandonment in place or removal of the pipeline, record in the Public Records of the county in which the Permanent Easement is located a release of the right, title and interest of Grantee in and to the Permanent Easement.

The rights, title and privileges herein granted may, in whole or in part, be sold, leased, assigned, pledged, and mortgaged, and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives. Grantee shall record any assignment of its rights hereunder in the Public Records of the county in which the Permanent Easement is located.

The parties agree that this Grant of Easement and the Agreement represent the entire agreement between the parties.

## ***Building Permit***

**Permit Number: 20221209**

**District Code: SW**

**Levy County**

310 School St.

Bronson, FL 32621

(352) 486-5198



---

**Parcel #:** 0983700600  
**Job Location:** 1271 NE 123 TER  
**City, State, Zip:** WILLISTON, FL 32696  
**Construction Area (Sq.Ft):** 1330  
**Flood Zone:** X  
**Minimum Finished Floor Elevation:**  
**Bottom of Lowest Horz Member:**

**Permit Type:** NC RESIDENCE SFR  
**Mobile Home Year:**  
**Permit Status:** Open  
**Date Issued:** 06/21/2022  
**Expiration Date:** 12/18/2022  
**Total Valuation:** \$206510  
**Septic Permit #:** 38SL2547509  
**Total Permit Fees:** \$6,158.51  
**Total Acres:** 1.00

**Job Description:** N/C RESIDENCE

---

**Applicant Name:** STEVE SMITH CONSTRUCTION  
**Phone:**  
**Email:**

**Owner:** TODD CHRISTIAN H  
**Address:** 21721 NE HWY 27  
**City, State, Zip:** WILLISTON, FL 32696  
**Phone:**  
**Email:**

---

**Contractors:**

**Name:** STEVE SMITH CONSTRUCTION INC **Address:**  
**Email:** **License #:** CBC1256817

**Phone:** 352 538 3141  
**Exp. Date:** 08/31/2022

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**NOTES:**

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Building Dept Created By: Wendy Feagle

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Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to the property that may be found in the public records of this county and there may be additional permits required from other governmental entities such as water management district, state agencies, or federal agencies.

The issuance of this permit does not release the application from the conditions of any applicable subdivision restrictions.

**Warning to Owner: Your failure to record a notice of commencement may result in your paying twice for improvements to your property. If you intend to obtain financing, consult with your lender or an attorney before recording your notice of commencement.**

Work requiring a permit shall not commence until the permit holder or his agent post the permit card in a conspicuous place on the premises. The permit and building plans shall be protected from the weather and located in such a position as to permit the building official or representative to conveniently make required entries thereon. This permit card and building plans shall be maintained in such position by the permit holder until the Certificate of Occupancy or Completion is issued by the Building Official.

Work shall not proceed until the inspector has approved the various stages of construction. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work is authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced. Inspections indicated on this card can be arranged by telephone.

**\*JOB CARD\***

Levy County  
310 School St.  
Bronson, FL 32621  
(352) 486-5198  
Permit Number: 20221209



**THIS CERTIFIES THAT THIS**  
**BUILDING PERMIT**

WITH PERMIT # 20221209 HAS BEEN ISSUED TO  
THE OWNER TODD CHRISTIAN H AT  
SITE ADDRESS 1271 NE 123 TER

In compliance with the requirements of the  
Ordinances of **THE COUNTY OF LEVY** for

PROJECT N/C RESIDENCE

DATED 07/22/2022 Wendy Feagle  
Services Director/Building Inspector

This placard is placed in a conspicuous place on the premises.

Prepared by and return to:

Terri Wooten

Haile Title Company

4739-B NW 53rd Avenue

Gainesville, FL 32653

(352) 371-6264

File No HT-19-388

\$50,000  
Parcel Identification No 04465-003-00

[Space Above This Line For Recording Data]

## WARRANTY DEED

(STATUTORY FORM – SECTION 689.02, F.S.)

This indenture made the 17th day of January, 2020 between Wendy C. Katje, a married woman, Clarence Stewart, a married man, and Corinne Tatman, a married woman, all conveying non-marital homestead property, whose post office address is 373 Washington Street, Otsego, MI 49078, grantor, to Brendan J. Rooney and Nicholette Rooney, husband and wife, whose post office address is 4615 Southeast 57th Lane, Ocala, FL 34480, Grantees:

Witnesseth, that said Grantors, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantors in hand paid by said Grantees, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantees, and Grantees' heirs and assigns forever, the following described land, situate, lying and being in Levy, Florida, to-wit:

The North 296.00 feet of the West 740.0 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.

LESS and EXCEPT the right of way for C-316 over the West 50 feet thereof and subject to a 15 foot easement along the South side thereof.

AND

The North 376.00 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.

LESS the West 740.00 feet thereof and subject to a 30 foot easement over the West 30 feet of the South 95.00 feet thereof.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to taxes for 2020 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantors hereby covenant with the Grantees that the Grantors are lawfully seized of said land in fee simple, that Grantors have good right and lawful authority to sell and convey said land and that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

✓ R FIRST AMERICAN TITLE  
3563 PHILIPS HWY STE 504 BLDG E  
JACKSONVILLE, FL 32207

In Witness Whereof, Grantors have hereunto set Grantors' hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Sign: David A. Tatman

Witness print name: David A. Tatman

Sign: Amanda Rife

Witness print name: Amanda Rife

Wendy C. Katje  
Wendy C. Katje

Clarence Stewart  
Clarence Stewart

Corinne Tatman  
Corinne Tatman

STATE OF Michigan  
COUNTY OF Allegan

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 13<sup>th</sup> day of January, 2020, by Wendy C. Katje, Clarence Stewart, and Corinne Tatman.

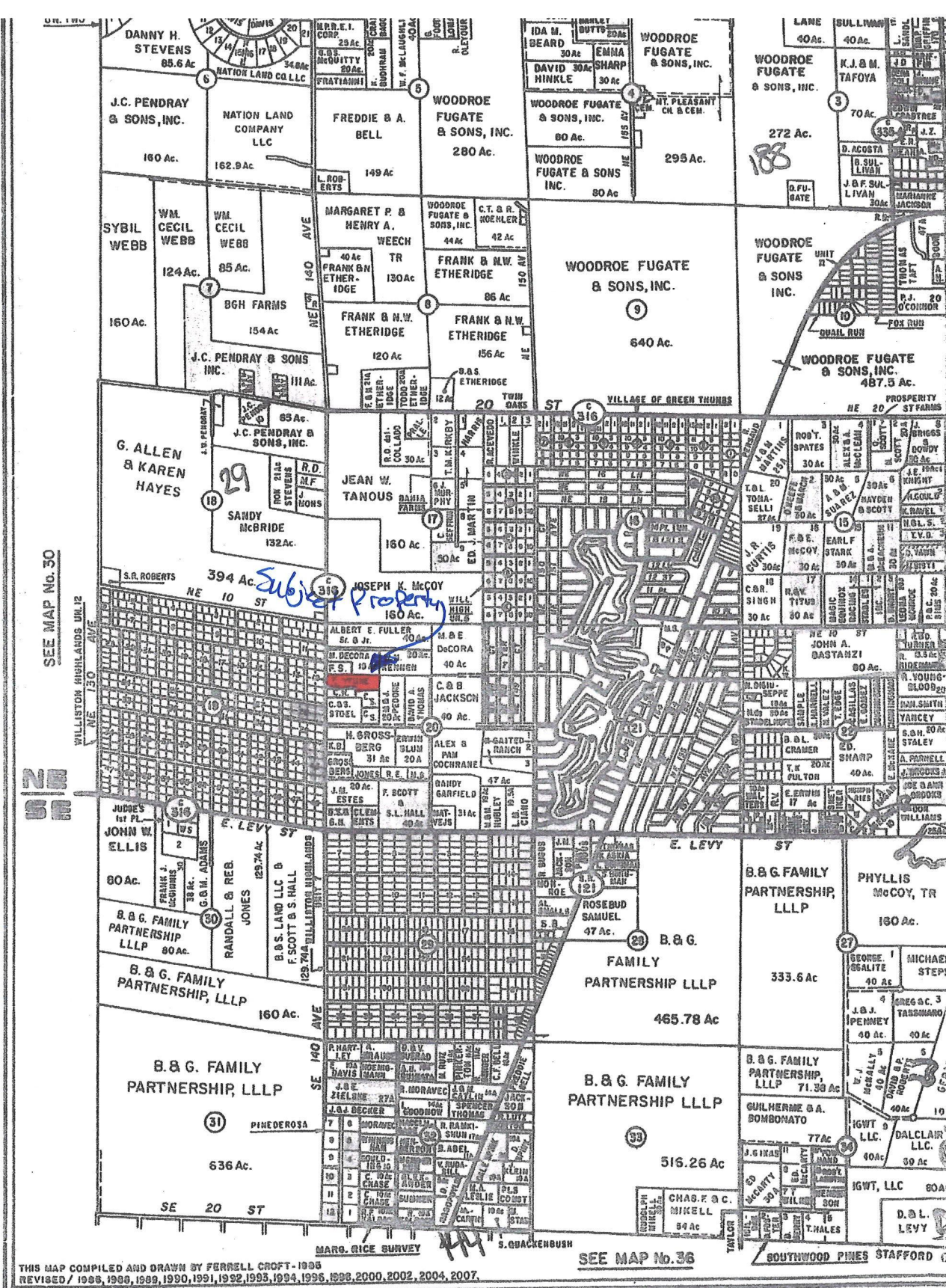
[Signature]  
Signature of Notary Public  
Print, Type/Stamp Name of Notary

Personally Known: \_\_\_\_\_ OR Produced Identification: X  
Type of Identification  
Produced: Michigan Driver License

**KEITH DUNHAM**  
NOTARY PUBLIC - MICHIGAN  
Allegan County  
My Commission Expires May 15, 2024

Unofficial Copy





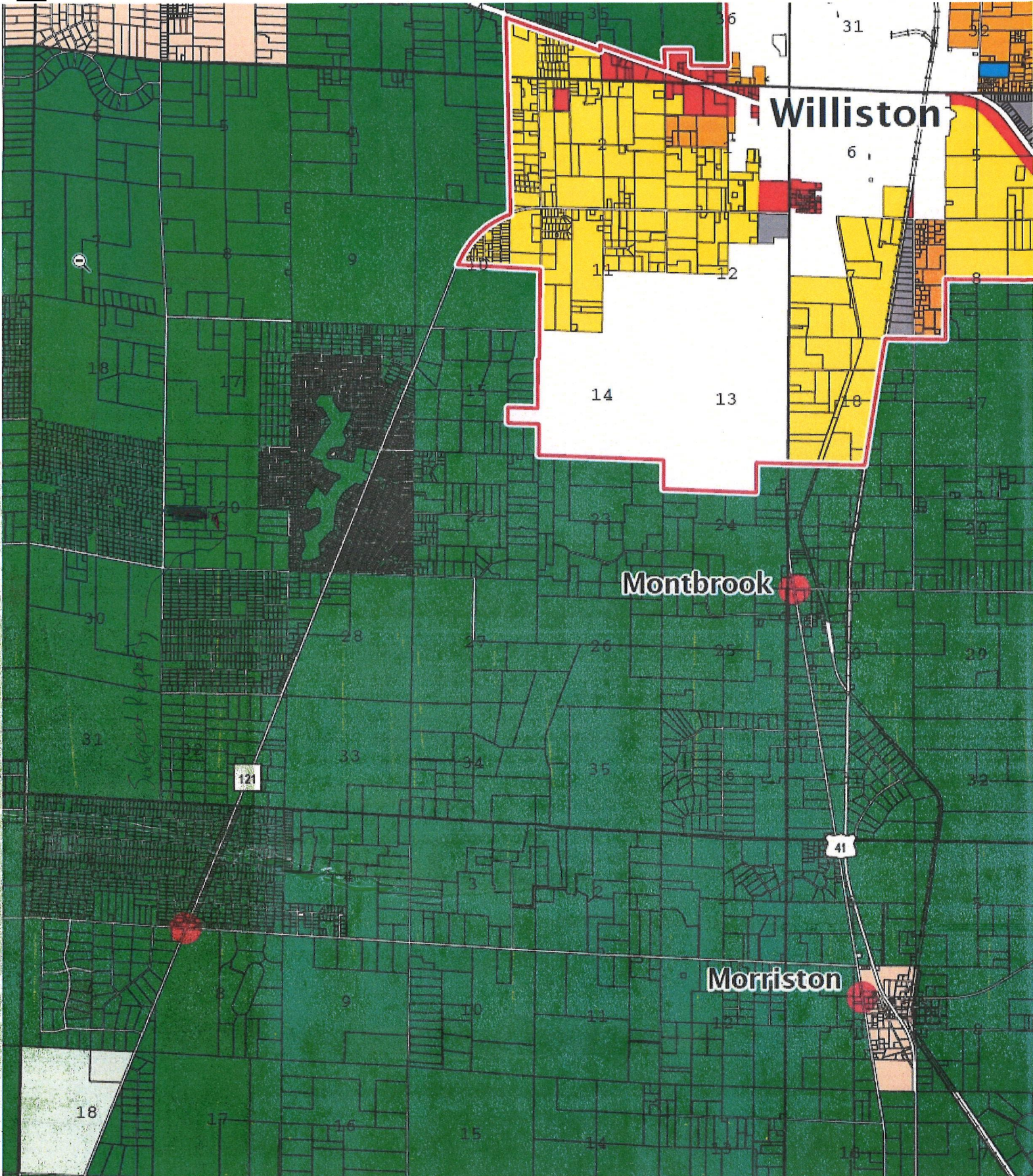
SEE MAP No. 30

102

THIS MAP COMPILED AND DRAWN BY FERRELL CROFT - 1995  
 REVISED / 1986, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 2000, 2002, 2004, 2007.























SEE MAP No. 36

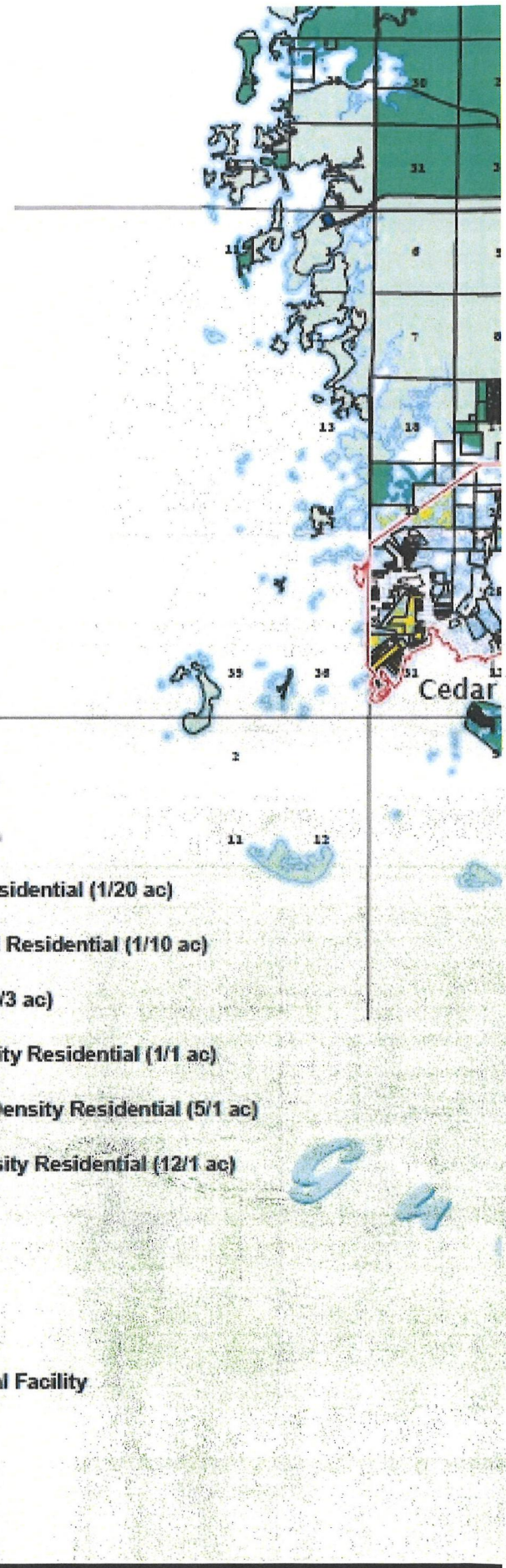
SOUTHWOOD PINES STAFFORD



# Levy County

## LEGEND

-  County Road
-  State Road
-  US Highway
-  Municipal Service District
-  Parcel Lines (all)
-  Railroad
-  Spring Protection Zone
-  Rural Commercial Node
-  NR: Natural Reservation
-  F/RR: Forestry/Rural Residential (1/20 ac)
-  A/RR: Agricultural/Rural Residential (1/10 ac)
-  RR: Rural Residential (1/3 ac)
-  ULDR: Urban Low Density Residential (1/1 ac)
-  UMDR: Urban Medium Density Residential (5/1 ac)
-  UHDR: Urban High Density Residential (12/1 ac)
-  C: Commercial
-  I: Industrial
-  CON: Conservation
-  PF: Public & Institutional Facility
-  REC: Recreation
-  Municipal
-  HR: Historic Resources



M

# Kristine's Acres

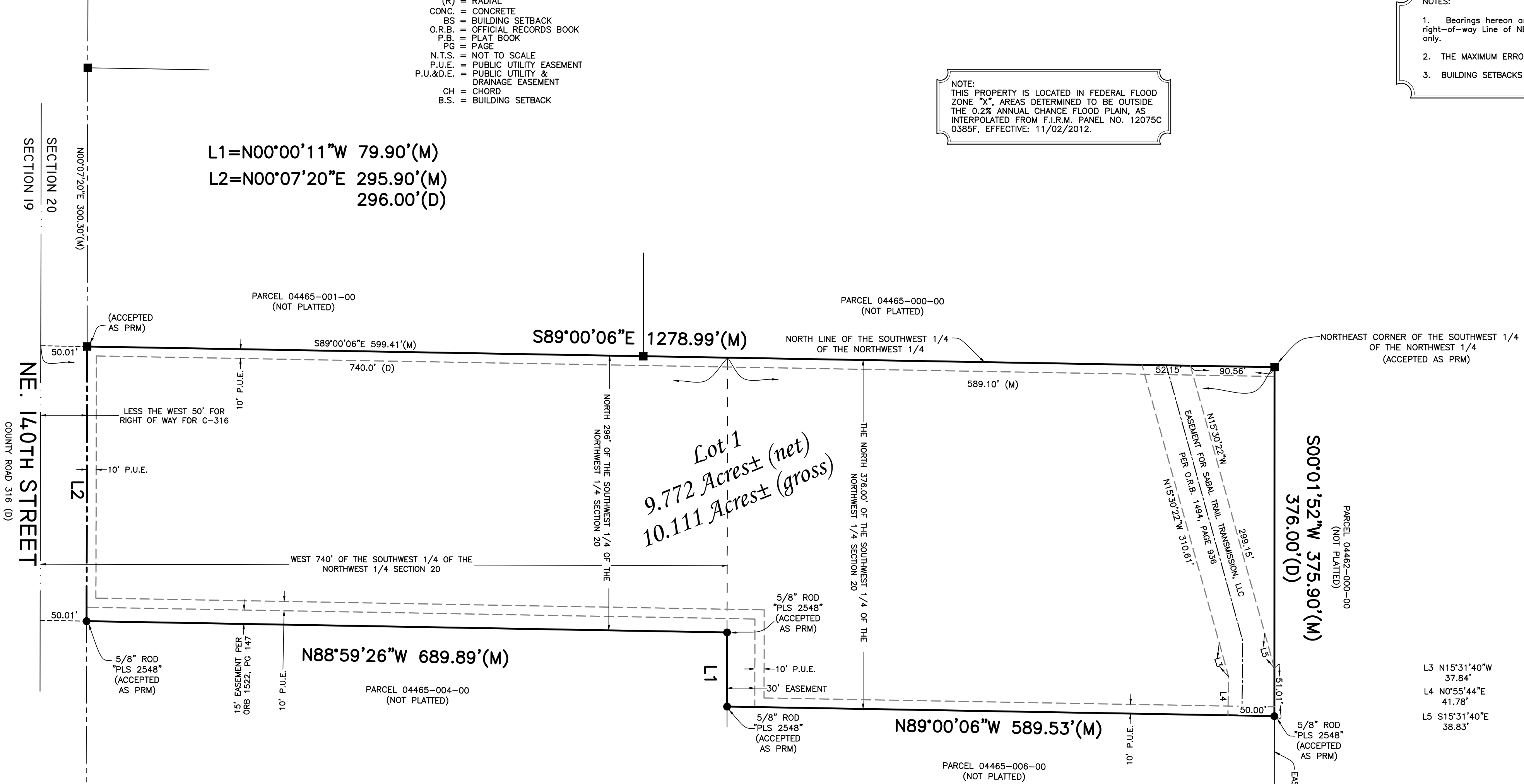
Lying in the Northwest 1/4 of  
Section 20, Township 13 South,  
Range 18 East, Levy County, Florida.

- LEGEND:
- = 4"x4" CONC. MONUMENT FOUND (NO IDENT. UNLESS SHOWN)
  - = IRON MARKER FOUND (ACCEPTED AS PRM)
  - = 1/2" IRON ROD SET MARKED "MCMILLEN P.S.M. 5469"
  - ⊙ = 1/2" IRON ROD SET MARKED "WITNESS P.S.M. 5469"
  - △ = NAIL & DISK SET FROM PCP "MCMILLEN P.S.M. 5469"
  - ◆ = UTILITY POLE
  - (P) = PLAT
  - (M) = MEASURED
  - (D) = DESCRIPTION
  - (C) = CALCULATED
  - IDENT. = IDENTIFICATION
  - (R.B.) = REFERENCE BEARING
  - P.O.C. = POINT-OF-COMMENCEMENT
  - P.O.B. = POINT-OF-BEGINNING
  - P.R.M. = PERMANENT REFERENCE MONUMENT
  - P.S.M. = PROFESSIONAL SURVEYOR & MAPPER
  - P.C.P. = PERMANENT CONTROL POINT
  - A.K.A. = ALSO KNOWN AS
  - f.k.o. = FORMERLY KNOWN AS
  - F.I.R.M. = FEDERAL INSURANCE RATE MAP
  - (R) = RADIAL
  - CONC. = CONCRETE
  - BS = BUILDING SETBACK
  - O.R.B. = OFFICIAL RECORDS BOOK
  - P.B. = PLAT BOOK
  - PG = PAGE
  - N.T.S. = NOT TO SCALE
  - P.U.E. = PUBLIC UTILITY EASEMENT
  - P.U.&D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
  - CH = CHORD
  - B.S. = BUILDING SETBACK

NOTE: THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN, AS INTERPOLATED FROM F.I.R.M. PANEL NO. 12075C 0385F, EFFECTIVE: 11/02/2012.

NOTES:

- Bearings hereon are based on an assumed value of N00°07'20"E, for East right-of-way Line of NE. 140th Street, said bearing is for computational purposes only.
- THE MAXIMUM ERROR OF CLOSURE DOES NOT EXCEED 1 : 10,000'.
- BUILDING SETBACKS TO BE VERIFIED THROUGH PLANNING DEPARTMENT.



NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

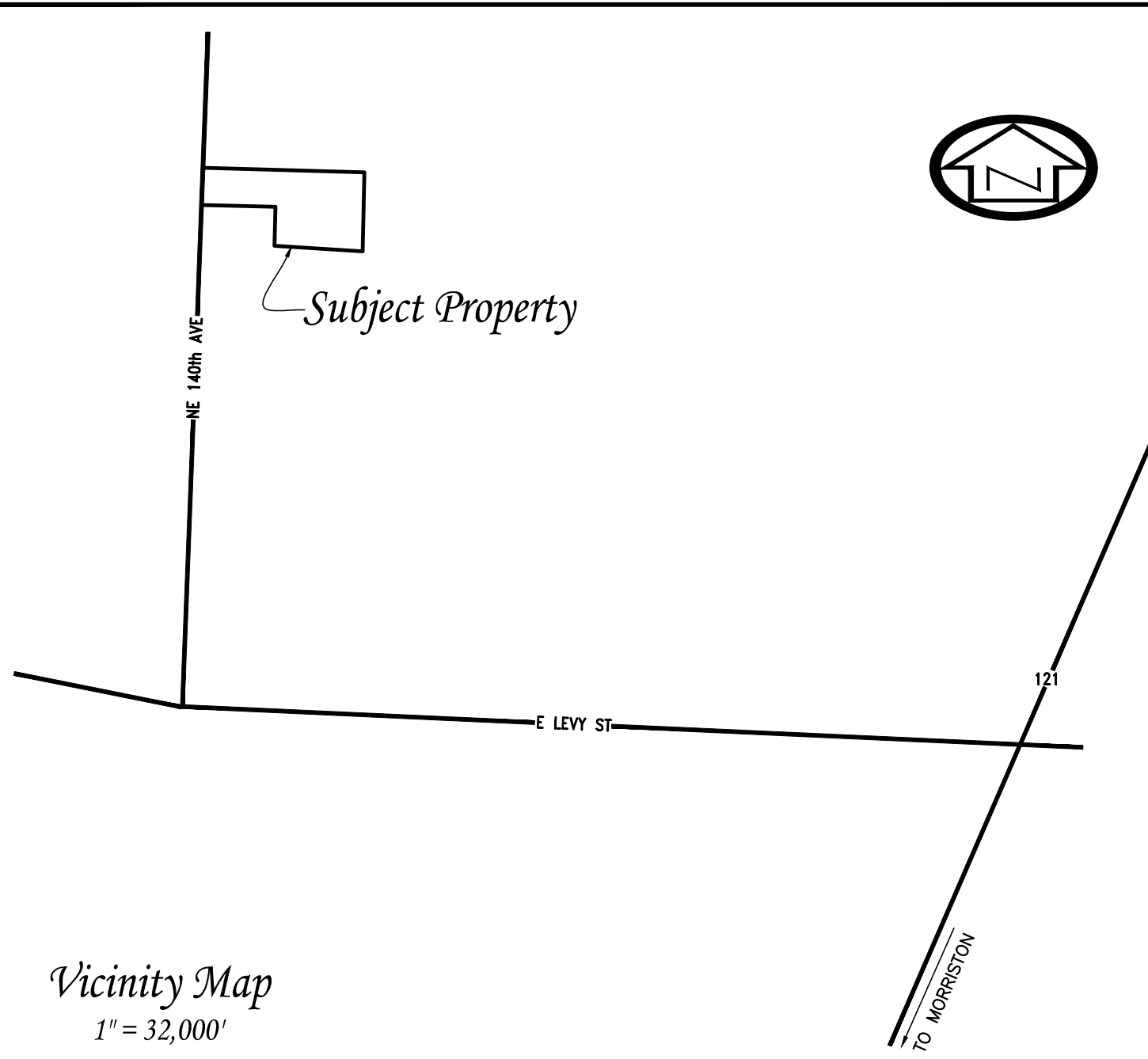
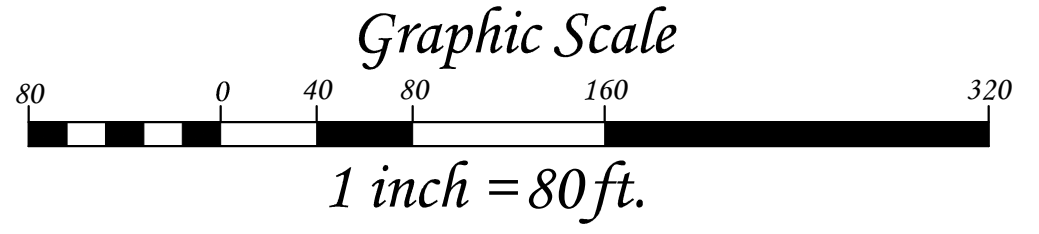
ALL PLATTED UTILITY EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

Description: (ORB 1522, PG 147)  
The North 296.00 feet of the West 740.0 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.

LESS and EXCEPT the right of way for C-316 over the West 50 feet thereof and subject to a 15 foot easement along the South side thereof.

And  
The North 376.00 feet of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 20, Township 13 South, Range 18 East, Levy County, Florida.

Less the West 740.00 feet thereof and subject to a 30 foot easement over the West 30 feet of the South 95.00 feet thereof.



**Owner's Certification and Dedication:**  
I, Kristine Kelley, hereby certify that I am the owner of the lands comprised within "Kristine's Acres" as described herein, and hereby consent to the subdivision thereof as shown. We hereby dedicate to the public, forever: all Public Utility Easements.

Kristine Kelley  
149 N Golf Harbor Path  
Inverness, FL 34450

witness \_\_\_\_\_  
witness \_\_\_\_\_

**Acknowledgment:** (State of Florida, County of Levy)  
I hereby certify that on this day personally appeared before me, Kristine Kelley, who is duly sworn and who furnished a Florida Driver's License as identification and who executed the above instrument and acknowledged before me that they executed said instrument for the use and purpose herein expressed, and did take an oath.

Witness my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 2023.

Commission Number: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Signature: \_\_\_\_\_  
County of: \_\_\_\_\_ State of: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

**Surveyor's Certificate:**  
I do hereby certify that this plat of "Kristine's Acres" is a true and correct representation of the heron described property according to a survey made under my responsible direction and supervision dated 9/14/2023, and that this plat complies with all survey requirements of Chapter 177, Part 1, Florida Statutes.

Date: \_\_\_\_\_  
Stephen M. McMillen, P.S.M. 444 NW Main Street  
Professional Surveyor & Mapper Williston, Florida, 32696  
Florida Certificate No. 5469 Phone: (352) 528-6277  
McMillen Surveying, Inc.  
Certificate of Authorization No. 8041

**County Certificates:**  
We, the undersigned do hereby certify that this plat conforms to the requirements of Levy County Ordinance and Regulations as follows:

Levy County Planning Commission (P&Z)  
Chairman - P&Z \_\_\_\_\_

Water & Sewer Requirements: I hereby certify that lot sizes shown in this subdivision comply with requirements of Chapter 381 F.S. and Chapter 62-6, F.A.C. for use of on-site sewage disposal systems and individual water supply systems. Systems size determination will be made on an individual lot basis.

Levy County Health Department  
Road Requirements: \_\_\_\_\_

Administrative Coordinator - Levy County Road Department  
Property Appraiser: \_\_\_\_\_

Levy County Property Appraiser  
Form and Legality: \_\_\_\_\_

Levy County Attorney  
Board of County Commissioners (BOCC)  
Chairman - BOCC \_\_\_\_\_

Review by Surveyor & Mapper. This is to certify that I have reviewed the plat for conformity to Part 1, Chapter 177, Florida Statutes, but have not verified survey data.

Date: \_\_\_\_\_  
Donald A. Carswell  
Florida Certification No. 6071

**Clerk of the Circuit Court Certificate:**  
This is to certify that this plat has been filed for record in Plat Book \_\_, Page \_\_ of the public records of Levy County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2023.

Clerk of the Circuit Court Deputy Clerk \_\_\_\_\_



S

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# LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

Planning and Zoning Department  
320 Mongo Street  
Bronson, Florida 32621  
Office (352) 486-5203/LCPZ@levycounty.org

## NOTICE OF PUBLIC MEETING FOR THE PETITION OF A FINAL PLAT

June 7, 2023

**PETITION NO. FP 23-03:** McMillen Surveying, representing Kristine Kelley of Kristine's Acres, petitioning the Commission for a Final Plat to correct the incorrect division of land, Parcel number 0446500300 and 0446500500. Said parcels are located in Section 20, Township 13S, Range 18E in Levy County, Florida and have a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). Each parcel contains 5 acres MOL, Final Platt will complete the process to produce a legal 10 acre parcel MOL.

Dear Property Owner:

This notice has been mailed to you because the proposal for this petition is located on property within three hundred (300) feet of property you own, according to the latest tax roll. This notice is also provided through advertisements in the Levy County Citizen and other appropriate publications, and signage on the proposed amendment site.

The *Levy County Planning Commission* will hold a PUBLIC HEARING on *Monday, July 10, 2023 at 5:45 pm* in the Government Center Auditorium, 310 School Street, Bronson, FL. The *Planning Commission* acts in an advisory capacity to the *Board of County Commissioners* and will hear the request and provide a recommendation to the *Board of County Commissioners*. The proposed petition will then be considered for approval by the *Board of Levy County Commissioners*, at a tentative PUBLIC HEARING set for *Tuesday, July 25, 2023 at 9:00a.m.* at the same location.

You are encouraged to attend the above mentioned meeting(s) in order to provide comments to the *Planning Commission* and *Board of Commissioners*. If you or your authorized representative cannot be in attendance, you may submit your comments in writing to the Planning and Zoning Department prior to the date of the Public Hearing.

Should you have any questions regarding this petition or the process, contact the Planning and Zoning Department at (352) 486-5203.

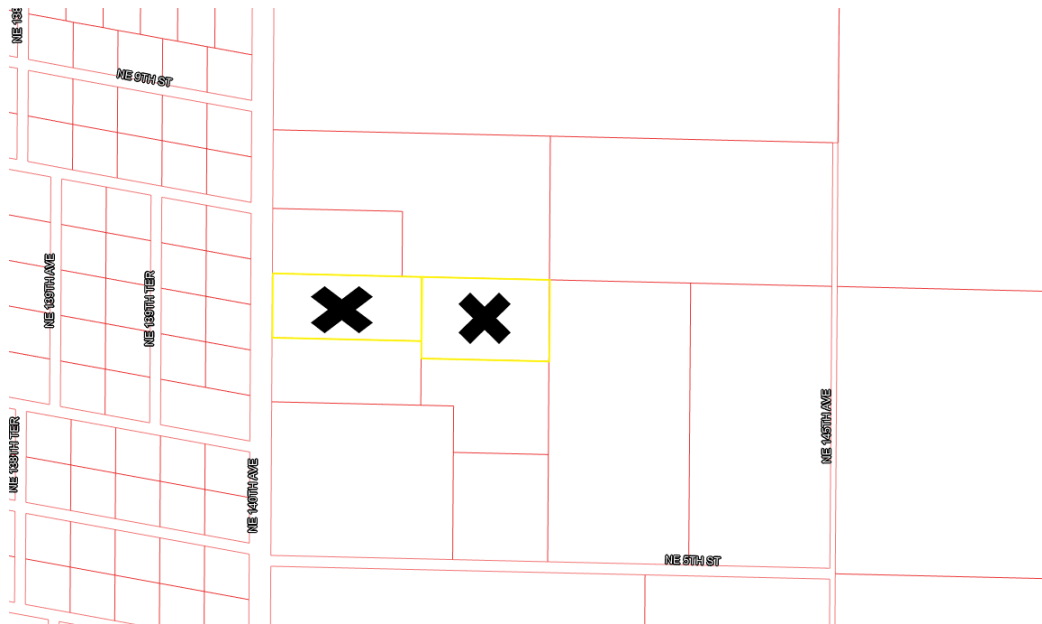
Sincerely,

Stacey Hectus  
Planning and Zoning Director

## NOTICE OF PUBLIC HEARING

A public hearing on the petition as described below will be conducted by the **Levy County Planning Commission on Monday, July 10, 2023 at 5:45 pm** or as soon thereafter as the matter may be heard during the course of action. Then again by the **Board of Levy County Commission on Tuesday, July 25, 2023 at 9:00 am** or as soon thereafter as the matter may be heard during the course of action. Both hearings will be held in the Levy County Government Center Auditorium, 310 School Street, Bronson, Florida. To keep informed of any upcoming meeting(s) on this or any other items, please sign up on our website at [www.levycounty.org](http://www.levycounty.org) or go to the direct link to subscribe: <https://meetings.municode.com/subscribe/index?cc=levyfl>

**PETITION NO. FP 23-03:** McMillen Surveying, representing Kristine Kelley of Kristine's Acres, petitioning the Commission for a Final Plat to correct the incorrect division of land, Parcel number 0446500300 and 0446500500. Said parcels are located in Section 20, Township 13S, Range 18E in Levy County, Florida and have a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). Each parcel contains 5 acres MOL, Final Platt will complete the process to produce a legal 10 acre parcel MOL.



Copies of said petitions with complete legal descriptions and subsequent staff reports (if applicable) will be available for review at the Levy County Planning and Zoning Department, 320 Mongo Street Bronson, FL 32621. For information call 352-486-5203. Interested parties may appear at the meeting and be heard regarding the proposed petitions. Any person requiring reasonable accommodations to participate in this meeting should contact the Levy County Commissioners Administration Office at 352-486-5218.

Published June 14, 2023



# Levy County Planning Commission

## Agenda Item Summary Form

- 1. Name, Title:** Stacey Hectus, Planning & Zoning Director
- 2. Organization:** Planning
- 3. Telephone:** 352-486-5203
- 4. Meeting Date:** July 10, 2023
- 5. Requested Action:**

PETITION NO SE 23-01: Ryan Thomas for 3RT Sand Mine. Requesting a Special Exception for a major mining operation pursuant to Sec. 50-719; Mining and excavation of minerals, or natural resources, and site reclamation of the Levy County Land Development Code to allow a sand mine (no blasting) on approximately 1,100 acres (includes mine property and access to CR 337) of land located in Section 35, Township 12 S, Range 17 E, Levy County Florida. These parcels are located in Agriculture/Rural Residential (A/RR) Land Use and Zoning district. Parcel Number(s) 0359701600, 0359700400, 0359700000, 0359700300, 0360400600, 0360400000, 036040040B, 036040040A, 0360400400, 0360400500, 0360600500, 0360600300, 0360600000, 0359400000, and 0359200000.

**6. Parcel Number:** 0359701600, 0359700400, 0359700000, 0359700300, 0360400600, 0360400000, 036040040B, 036040040A, 0360400400, 0360400500, 0360600500, 0360600300, 0360600000, 0359400000, and 0359200000.

*Recommend Approval*       *Recommend Denial*



P.O. Box 42  
Ocala, Florida 34478  
Office: 352.624.2068  
Fax: 352.622.6643

[dnmengineering@embarqmail.com](mailto:dnmengineering@embarqmail.com)

May 24, 2023

Levy County Planning & Zoning  
320 Mongo Street  
Bronson, Florida 32621

**Re: 3RT Sand Mine  
Special Exception Application  
Levy County Parcel I.D. Nos.: 0359701600, 0359700400, 0359700000, & 0359700300  
Section 35, Township 12 South, Range 17 East  
11151 Northeast 35<sup>th</sup> Street  
Bronson, Levy County, Florida**

Dear Planning & Zoning,

Please find enclosed for review the Special Exception and Excavation & Fill Permit Applications for the above described properties located in Bronson, Levy County, Florida to be utilized for major mining, excavation and fill activity or operations where more than 10,000 cubic yards of earth (sand & clayey sands) will be excavated or removed from or deposited on a tract or parcel greater than 20 acres. Major Mining, Excavation and Fill Activity Operations is currently listed as a Special Exception Use within Land Use/Zoning District A/RR.

The current Land Use and Zoning of the subject properties are A/RR (Agriculture/Rural Residential) and have historically been utilized for farming and crops. Ryan B. Thomas, property owner, is proposing to permit the subject property as the 3RT Sand Mine to be able to excavate the sand from the subject property to be sold to independent contractors to be utilized for fill material for construction of new road/highway construction, road/highway improvements, single family residences, residential developments, commercial developments, industrial developments, concrete foundation, concrete production, horse track developments, equestrian facilities, etc. throughout Levy and other neighboring counties. The proposed number of daily one way trips from the subject properties is 75+/- with approximately 1,400+/- cubic yards of sand material to be excavated per day.

The subject properties are currently surrounded by an Agricultural Experiment Station (Rosemary Hill Observatory) on 78.81 +/- acres of land to the North/West of the subject properties and Zoned A/RR; a 50.0+/- acre parcel of land with a single family residence located to the Northwest of the subject properties and Zoned A/RR; eleven (11) 10+/- acre parcels of primarily vacant parcels land currently



Zoned RR with two of the parcels occupied by a single family mobile home residence to the North of the subject properties; ten (10) 5.0+/- or 10.0+/- acre of primarily vacant parcels of land currently zoned RR with on three of the parcels occupied by single family mobile home residences and one parcel occupied by a single family residence to the Northeast/East of the subject property; five (5) large tract parcels of land currently Zoned A/RR and utilized for Agriculture Farming/Crop land to the Southeast/South/Southwest of the subject properties; and four (4) 20.0+/- acre parcels of primarily vacant parcels of land currently Zoned RR with one parcel occupied by a single family mobile home residence to the West/Northwest of the subject properties.

The main Ingress/Egress to the subject properties will be provided by an improved driveway connection located at the intersection of County Road 337 and N.E. 42<sup>nd</sup> Street with the travel route traversing along existing dirt roads through properties currently owned by either Lee A. Thomas and Ryan Thomas. County Road 337 currently has the capacity and is structurally stable to handle the increased traffic from the proposed project. However, two (2) additional alternate routes may be utilized if determined feasible by the Board of County Commissioners with one route utilizing an existing improved private road owned by Ryan B. Thomas and accessing Northeast 30<sup>th</sup> Street (public road) located to the South of the subject properties and the other route utilizing a 30 feet easement located at the Northeast corner of the property and traversing approximately 1.2+/- miles north to U.S. Highway 27. The proposed hours of operation of the sand mine will be between the hours of 7:00 am to 6:00 pm Monday thru Saturday. All excavation on the subject property will be removed mechanically with no blasting proposed.

The major mining, excavation and fill activity or operations proposed for the subject property will be compatible with the adjoining properties by complying with all requirements and standards for approval set forth in Chapter 50, Article XIII, Division 5, and Subdivision I and Subdivision II, Levy County Code and the location, proposed ingress/egress, and design of the proposed 3RT Sand Mine will meet the following minimum and specific criteria, standards, conditions, and requirements for special exceptions for major mining operations as listed in Section 50-719, Subdivision II (c) & (d):

**(c) Minimum Criteria, Standards, and Conditions:**

- 1) The proposed mining operation does comply with all required regulations and standards of this chapter, as applicable, including provisions of Division 5, Article XIII and this section specifically, and all other regulations;
- 2) The proposed mining operation will be serviced by County Road (CR) 337 which has been determined by a traffic study and traffic impact analysis to have adequate capacity to

accommodate the increased traffic volume and load impacts and will not adversely impact any surrounding uses;

- 3) The proposed mining operation will incorporate a 100 foot setback along the entire perimeter of the subject properties where 50 feet of the 100 foot setback will be improved with a vegetative buffer and an 8 feet high earthen berm to provide the required screening and buffering from uses and structures of adjacent and nearby properties;
- 4) The proposed mining operation is consistent with the Comprehensive Plan as this type of operation is currently listed as a special exception use within the Land Use/Zoning District "A/RR;"
- 5) The proposed mining operation will not adversely impact springs, rivers, tributaries, or water quality as the proposed mining operation is located more than 5.3+/- miles from Blue Grotto Springs, 6+/- miles from Devils Den Prehistoric Springs, 7.5+/- miles from Blue Springs State Park, 25+/- miles from Fanning Springs, 23+/- miles from Manatee Springs, and 20+/- miles from the Suwannee River. In addition, the proposed mining operation is located more than 100 feet from any private water wells and more than 1000 feet from any public supply wells;
- 6) The proposed mining operation will not result in such noise, odor, dust, vibration,, off-site glare, substantial traffic or degradation of road infrastructure that will adversely impact surrounding development or cause hazardous traffic conditions due to the proposed screening/buffering to be provided around the entire perimeter of the mining operation to protect rural residential lots located to the North/Northeast/East/West of the subject properties, the existing agricultural lands/operations to the Southeast/South of the subject properties, and the Rosemary Hill Observatory to the North/West of the subject properties;
- 7) The proposed mining operation will not adversely impact recreational enjoyment of State, Federal, of County Parks by the public as the subject property is not located near any State and Federal Lands accessible to the Public and more than 4+/- miles from County Parks accessible by the public;
- 8) The proposed mining operation will not cause an adverse environmental impact to any dumpsites, landfills, effluent ponds, or public supply wellheads as there are currently no dumpsites, landfills, effluent ponds, or public supply wellheads located within 1000 feet radius of the subject property;

- 9) The proposed mining operation is not located in a prohibited areas and meets all requirements regarding buffering, access, application, impact assessment, documentation, setback slope, reclamation requirements, and any other requirements, all as contained in the section;
- 10) The proposed mining operation has obtained an Environmental Resource Permit from the Southwest Florida Water Management District (SWFWMD) (ERP Permit No.: 43046299.000 issued 12/22/2022) and has submitted the required “Notice of Intent to Mine or Mining Other Resources” to the Florida Department of Environmental Protection (FDEP) on 4/11/2023 and are currently awaiting for FDEP to request any additional information or final approval;
- 11) The proposed mining operation will not be detrimental to the area residents or businesses, or public health, safety, welfare of the community as a whole due to the subject property’s location, proposed screening/buffering being provided from neighboring properties, and traffic impact and load impact being similar in nature to the subject property’s existing agricultural operations;

**(d) Specific Criteria, Standards, Conditions and Requirements for Special Exceptions for Major Mining Operations:**

1) Prohibited Areas For Major Mining Operations

- a) The proposed mining operation is located more than 500 feet from any abandoned dumpsites, landfills, or effluent ponds as identified by the FDEP. The proposed mining operation will not be performing any blasting as part of the operation;
- b) The proposed mining operation is located more than 1000 feet from any public water wellheads of 100,000 GPD or greater (5+/- miles from the Town of Bronson Water Treatment Facility);
- c) The proposed mining operation is located more than 1 mile from any public water supply wellhead of 100,000 GPD or greater, however, no blasting is proposed to be performed as part of the mining operation;
- d) The proposed mining operation is located 23+/- miles from Manatee Springs and 24+/- miles from the Fanning Springs State Park Boundaries;
- e) The proposed mining operation is located 20+/- miles of known streams, conduits, lineaments, fractures, or matrix flow paths with the potential to impact Manatee Springs or Fanning Springs, more than 100 feet from any private supply

wells, and more than 1000 feet from any public supply wells which may directly or indirectly result in the occurrence of one or more of the following:

- i) The deterioration of water quality of adjacent private or public supply wells, or reduction of their water level.
- ii) The deterioration of water quality of flow of Manatee Springs or Fanning Springs.
- f) The proposed mining operation is located more than one-quarter mile (1,320+/- feet) from any schools, hospitals, county, state, or federal parks;
- g) The proposed mining operation is located more than one-quarter mile (1,320+/- feet) from a platted and recorded subdivision with lot sizes of five acres or less that include constructed streets and developed parcels. The subject property is located approximately 2,640+/- feet from the Black Jack Ridge Estates Subdivision to the Northwest of the subject property and approximately 1,338+/- feet to the Sunny Highlands Subdivision located to the North/Northwest of the subject property. The distance can be reduced to 660 feet to the platted subdivisions since buffering is provided and if approved by the Levy County BOCC;

2) Buffering Standards:

- a) Length: The proposed mining operation will incorporate a buffer along the entire perimeter of the subject property (18,500+/- linear feet) as to shield mining activity from incompatible land uses.
- b) Depth: The proposed mining operation will provide a minimum of 100 feet depth buffer setback measured perpendicularly from the subject property's property boundary;
- c) Opacity: The proposed mining operation will provide a vegetative buffer consisting of three (3) rows of native sand pine trees spaced six (6) feet apart and staggered rows spaced eight (8) feet apart. In addition, it is proposed to utilize overburden material and excavated sand to create an 8+/- feet high earthen berm with 1:1 side slopes to provide the required 80% opacity standard;



d) Makeup: The proposed buffer will consist of a vegetated screen augmented by a berm to obtain opacity.


- i) with the proposed earthen berm, the outer 50 feet of the buffer will consist of a vegetated buffer.
- ii) Existing trees, which is minimal, located within the vegetative screen will remain in place.
- iii) Since sufficient vegetation does not exist, the proposed vegetative screen will be planted with sand pine trees native to the area and compatible with the area soils.

e) Berms:

- i) The proposed earthen berm will run parallel to, and no closer than 50 feet from the property line.
- ii) The proposed earthen berm will be constructed to a height of 8 feet above natural surface of the ground to shield mining activity from the property lines so that it cannot be viewed through the buffer from adjoining properties when viewed from the property line. The proposed earthen berm will undulate along the perimeter of the subject property while still providing the shielding from view of the adjoining properties from the property line.
- iii) The proposed earthen berm will be stabilized with the planting of a vegetation cover and slopes will not exceed 1:1 vertical to horizontal.

### 3) Access Requirements:

- a) & b) The proposed mining operation is located within an area that has direct ingress/egress access to a major collector road (CR 337) to the west of the subject properties. However, two alternate routes accessing N.E. 30<sup>th</sup> Street to the South and a 30 feet easement accessing U.S. Highway 27 to the North could be utilized as ingress/egress routes if approved by the Planning Commission and Levy County BOCC.
- c) The proposed access and truck routes to and from the site do not traverse through platted recorded and unrecorded residential subdivisions.

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- d) Hauling Requirements: The traffic study prepared by Kittelson & Associates and Pavement Analysis prepared by Geo-Tech, Inc. supports that the proposed mining operation will not damage public nor private property due to the hauling of material and that hazardous traffic conditions will not be created since the special exception use is similar in nature to the existing agricultural operation. Hauling trucks utilizing public roads will be covered in a manner to prevent spillage and consistent with the Florida Department of Highway Safety and Motor Vehicles Standards and all hauling vehicles shall display the hauling company (or truck owner's name if privately owned) on the sides of the vehicle;

4) Setback Requirements:

- a) The proposed mining operation is located more than 100 feet from any road right-of-way boundary;
- b) The proposed mining operation excavation activities will occur at least 100 feet from any adjoining undeveloped lot or parcel and from any residentially developed lot or parcel boundary.

5) Slope Requirements:

The proposed mining operation of dormant sand and clay will provide a side slope not steeper than one foot rise for each three feet horizontal measurement (3:1 slopes).

6) Reclamation Plan:

The owner of the proposed mining operation has submitted the required "Notice of Intent to Mine or Mining Other Resources" application to the FDEP on 4/11/2023 and are currently awaiting the FDEP to request any additional information or issue an approval.

7) Mining Impact Assessment Report:

- a) Compatibility: The proposed mining operation will not perform any blasting to remove sand/clay materials.
- b) Transportation System:

The traffic study prepared by Kittelson & Associates and Pavement Analysis prepared by Geo-Tech, Inc. supports that the proposed mining operation will not damage public nor private property due to the hauling of material and that hazardous traffic conditions will not be created since the special exception use is

similar in nature to the existing agricultural operation. Hauling trucks utilizing public roads will be covered in a manner to prevent spillage and consistent with the Florida Department of Highway Safety and Motor Vehicles Standards and all hauling vehicles shall display the hauling company (or truck owner's name if privately owned) on the sides of the vehicle;

c) Water Pumping Activities:

The proposed mining operation will not be utilizing any water pumping activities at this time.

d) Fill Activities:

The proposed mining operation will only utilize clean fill material to reclaim the subject properties back to the original agricultural use and existing grade.

If you have any questions or require any additional information, please feel free to contact our office.

Sincerely,

*Douglas VanDeursen*

Douglas A. VanDeursen, P.E.  
President

**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

**Filing Date** \_\_\_\_\_

**Petition No. SE** \_\_\_\_\_

**Fee:** \$3,600 (see fee schedule)

**Validation No.** \_\_\_\_\_

**TO THE LEVY COUNTY PLANNING COMMISSION:**

Special exceptions are intended to provide for land uses and activities not permitted by right in the applicable zoning district where they are located. Because a special exception use is not normally a permitted use in a particular district, the burden is placed upon the applicant to document that the granting of a special exception is suitable in the area and will not create a hardship upon adjoining properties as they are currently being used or as they may be used in the future.

This application is hereby made to the Board of County Commissioners (BOCC) of Levy County, Florida, pursuant to the provisions of Chapter 163, Florida Statutes, the adopted Levy County Comprehensive Plan and Chapter 50 of the Levy County Code (Land Development Code), petitioning for a Special Exception on the following described property:

<b>Section I. APPLICANT INFORMATION:</b>			
Please print unless otherwise specified.			
Applicant's Name <u>Ryan Thomas</u>	Owner's Name <u>Lee A. Thomas</u>		
Address <u>11151 N.E. 35th Street, Bronson, FL</u>	Address <u>4990 N.E. 195th Street, Williston, FL</u>		
Zip Code <u>32621</u> Phone No. ( <u>352</u> ) <u>258-9547</u>	Zip Code <u>32696</u> Phone No. ( <u>352</u> ) <u>258-9547</u>		
email <u>rbthomas75@gmail.com</u>	email <u>rbthomas75@gmail.com</u>		

<b>Section II. PARCEL INFORMATION:</b>		
Parcel Number (s)	Section/Township/Range	Acreage
1. <u>0359701600</u>	<u>35/12S/17E</u>	<u>80+/-</u>
2. <u>0359700400</u>	<u>35/12S/17E</u>	<u>160+/-</u>
3. <u>0359700000</u>	<u>35/12S/17E</u>	<u>120+/-</u>
4. <u>0359700300</u>	<u>35/12S/17E</u>	<u>40+/-</u>
SEE ATTACHMENT "A" FOR INGRESS/EGRESS PROPERTIES		Total Acreage: <u>400+/-</u>
Subdivision Name (if applicable): _____		Lot _____ Block _____
Current Land Use: <u>A/RR</u>		Current Zoning: <u>A/RR</u>
Current Use (Actual) and Improvements on the Property: (i.e. Single-family, well & septic, pole barn, ect. <u>Farm/Crop Land improved with (2) Pole Barns, (2) 10" Wells and (2) 4" wells</u>		
Proposed Use: <u>Major Mining, Excavation, and Fill (Sand Mine)</u>		



**SPECIAL EXCEPTION APPLICATION  
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Directions to the Property: (Please start directions from a State or County Road):

From Bronson, FL head South on N.E. CR 337 approximately 3.82+/- miles to N.E. 42th St. (Main Ingress/Egress Driveway Connection);

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**Section III. TO BE SUPPLIED AT THE TIME OF SUBMISSION;** Attach the items in the order listed below. The application will not be processed without these items. Any information changes must be submitted, in writing, to the Planning and Zoning Department and received within 10 working days prior to the Planning Commission Public Hearing.

\*\*\* Upon completion of the above application, **please submit the original and four (4) copies** to the Levy County Planning and Zoning Department, 320 Mongo Street, Bronson, Florida, for staff review and comment. After the application has been found complete, an additional twenty (12) copies will need to be submitted for distribution to the Planning Commission, Board of County Commission and office staff.

**Surrounding Land Owners & Mapping**

X A list of names and addresses of property owners within 300 feet of the subject property (excluding rights-of-way) with corresponding address labels. This information shall be based on the latest available property records of the Levy County Property Appraiser. The applicant shall also provide a map clearly showing the subject property and all of the other properties within 300 feet. As per our conversation with Debbie Benton with Levy County, the requirements of this item will be handled internally upon submittal of the application.

**Property Description**

X **Property Deed.** The most recent deed pertaining to the proposed special exception property. This may be obtained from the Clerk of the Circuit Court's Office.

X **Certified property boundary survey.** Provide a certified legal boundary survey of the proposed special exception site. If the proposed special exception is to be on only part of the parcel, indicate that area. The legal description of the parcel or portion of the parcel must be described and signed and stamped by a certified Registered Land Surveyor (RLS), Professional Land Surveyor (PLS), Professional Mapper and Surveyor ( PMS), or a professional engineer (PE).

X **Detailed Site Plan.** See Section IV of this application for required information to be shown on the site plan.

X **Photographs.** Provide at least four (4) photographs showing site views from the site looking north, south, east and west. Identify the photo viewpoint and provide a brief description beneath each view (North, South, East, West). Additional photos showing relevant information may also be included.

**Maps** All required maps and information can be obtained from the Levy County Property Appraiser.

X **Property Appraiser's Parcel Map.**

1. Identify the proposed site clearly using a color or pattern.
2. Identify on the map the existing uses within 300 (three hundred) feet of the subject property's boundary using the following descriptive types: Residential, Commercial, Industrial, Recreation, Crops/Farming, Silviculture and Undeveloped. Please indicate all uses on the adjacent property. For example, residence and crops/farm, or Commercial/restaurant and recreational/golf course.
3. Identify the FLUM designation and zoning classifications for those properties identified by question #2.

X **Property Appraiser's Aerial Photograph with Parcel Overlay.** Identify the proposed site clearly using a bright color or pattern taking care to obscure as little information as possible.

**SPECIAL EXCEPTION APPLICATION  
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**Documentation**

X     **Existing Conditions and Compatibility on Property adjacent to the proposed special exception site.**  
Provide a cover letter for this application which documents in writing how you believe the proposed special exception will be compatible with the adjoining development and the proposed zoning district where it is to be located.

X     A narrative description of the total project in sufficient detail to provide an understanding of the nature of the development proposal and a statement describing how the special exception meets all requirements, criteria, and standards for approval set forth in Chapter 50, Article XIII, Division 5, and Subdivision I and Subdivision II, Levy County Code.

**Note: The Planning and Zoning Department, Planning Commission, the BOCC, or other provisions of the Levy County Code, may require additional information to be included in any site plan submitted with this application.**

**Section IV. Detailed Site Plan:** The applicant shall submit a site plan of his proposed special exception to be reviewed by the Planning Commission and the Board of County Commissioners. The site plan should be detailed at a scale of 1" = 20' or larger (subject to the Zoning Official's approval), showing the relationship of existing and proposed structures and uses on the parcel. Where site plan approval is required, and the development is not being submitted as a PUD as provided in Section 50-901 ff., Levy County Code, the following shall be required:

- 1) Project identification.**
  - a. Title of project or development.
  - b. Name of engineer, architect and developer (if different than applicant).
  - c. North point, scale, date and legal description of the entire property encompassing the special exception.
  
- 2) Existing conditions.**
  - a. Boundaries of the property involved, all existing easements, existing buildings, section lines, property lines, existing street paving and rights-of-way, topography, existing surface water areas, existing water mains, sanitary and storm sewers, culverts and other underground structures in and adjacent to the property.
  - b. A one inch equals 200 feet (1" = 200') aerial photograph of sufficient quality to delineate existing vegetation, or a tree survey prepared by a licensed surveyor or engineer.
  
- 3) Proposed development plans.**
  - a. Proposed placement of structures on the property, provisions for ingress and egress, off-street parking and off-street loading areas, refuse and service areas and required yards and other spaces.
  - b. Plan showing proposed locations for utility hookups.
  - c. Plan for screening and buffers, with reference to type, dimensions and character.
  - d. Proposed landscaping.
  - e. Proposed signs and lighting, including type, dimensions and character.
  - f. Size of proposed lot (s) or parcel (s).

**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

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**4) Tabulation of proposed development plans.**

- a. Tabulations of total number of gross acres in the site and the acreages and percentages thereof proposed to be devoted to the uses including: uses (residential, commercial, industrial or other nonresidential), streets, parking and open and enclosed storage areas.
- b. Tabulations of total number of dwelling units by dwelling type within the project.
- c. Proposed development schedule and phasing.
- d. Square footage of floor area by type of structure.

**Section V. Additional written and mapping documentation required for the specific proposed special exceptions listed in Schedule I of Section 50-676, Levy County Code, in applicable zoning districts.** These uses include, but are not limited to, mining, excavation and quarries, development in the Airport Overlay Zone, and concentrated commercial farming operations. Confirm with the Planning and Zoning Department whether the proposed use requested has additional requirements.

**Section VI. In order for a special exception to be approved, the applicant must show that it meets the following criteria, at a minimum, and any other applicable requirements, criteria or standards as set forth in the Land Development Code. \*Please make all narrative responses to numbers 1 – 8 on the following provided page. While all documents, maps, etc., that support a response should be included in the application, narrative responses cannot be simply referred to another document, map, etc. in your application; doing so will result in an incomplete application.**

- 1) **That** the use is a special exception use as set forth in Schedule 1. Use Regulations, of section 50-676, Levy County Code, or as set forth in the Levy County Comprehensive Plan.
- 2) **That** the use is so designated, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.
- 3) **That** the use will not cause substantial injury to the value of other property in the neighborhood where it is to be 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.
- 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.
- 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.
- 7) **That** the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.
- 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 Chapter 50, Article XIII, Division 5, Subdivision II, Levy County Code and with any specific requirements for the use contained in Chapter 50, Article XIII, Division 3, Subdivision II, Levy County Code.

**SPECIAL EXCEPTION APPLICATION  
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**COMPLETE RESPONSES MUST BE PROVIDED ON THIS PAGE. IF MORE SPACE IS NEEDED, PLEASE ATTACH AN ADDITIONAL PAGE. IF THERE IS ANY DOCUMENTATION TO SUPPORT THE RESPONSES BELOW, PLEASE ATTACH SUCH DOCUMENTATION.**

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- 1) That the use is a special exception use as set forth in Schedule 1. Use Regulations, of section 50-676, Levy County Code, or as set forth in the Levy County Comprehensive Plan.  
Major mining, excavation and fill activities or operations is listed as a special exception for District "A/RR."  

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- 2) That the use is so designated, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.  
The proposed use is remotely located and will be operated in accordance with the requirements of Chapter 50-719 of the Levy County Code in order to protect Public Health, Safety, Welfare, and Convenience.  

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- 3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.  
By incorporating the requirements of CH. 50-719 of the Levy County Code into the design of the proposed use, the proposed use will not cause substantial injury to the value of the property(s) in the neighborhood where it is located and the land will return to the original use of Farm/Crop Land upon completion.  

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- 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.  
The proposed property is suitable for the proposed mining activity based upon the geotechnical evaluation performed on the property and based upon the location, shape, topography, and is similar in compatibility with neighboring properties that major mining activities are to be allowed as a Special Exception within District A/RR.  

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- 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.  
The proposed project will incorporate a vegetative buffer consisting of the planting of Sand Pines spaced 6 feet apart in staggered rows 6 feet apart within a minimum 50 feet width of the provided 100 feet setback from property lines and to provide a minimum of 80% opacity while standing at the property lines.  

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- 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.  
No off-street parking and loading are required for the proposed use and the Ingress/Egress to/from the property will be from a privately owned improved road therefore not causing congestion of vehicular or pedestrian traffic on abutting streets.  

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- 7) That the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.  
The proposed major mining use conforms with all applicable regulations governing the District A/RR.  

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- 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 Chapter 50, Article XIII, Division 5, Subdivision II, Levy County Code, and with any specific requirements for the use contained in Chapter 50, Article XIII, Division 3, Subdivision II, Levy County Code.  
The proposed major mining use is consistent with the Levy County Comprehensive Plan, Land Development Code, and the application and use complies with the applicable requirements of Chapter 50-729 of the Levy County Code.  

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SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA

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STANDARD CONDITIONS OF APPROVAL – THESE CONDITIONS, IN SUBSTANTIALLY THE FORM CONTAINED HEREIN, WILL BE CONTAINED IN EACH ORDER OF APPROVAL FOR SPECIAL EXCEPTIONS. THERE MAY BE ADDITIONAL CONDITIONS THAT WILL APPLY.

1. The following words, terms, or phrases, when used in this Order or Conditions of Approval, shall have the meanings ascribed to them in this Condition 1, except where the context clearly indicates a different meaning:

*Applicant* shall mean \_\_\_\_\_, jointly or severally (use this phrase if more than one applicant) or any of his/her, its or their successors or assigns.

*Application* \_\_\_\_\_ shall mean the request filed by Applicant with the County for a Special Exception for \_\_\_\_\_ including the completed application form and all additional documents submitted by the Applicant (include all supplementary documents if unusual supplementary documents are part of the application so that maps/other documents that were part of the Application are identifiable).

*County* shall mean Levy County, Florida.

*Department* shall mean the Levy County Planning and Zoning Department, or any successor County Department with the duties of administering and enforcing the zoning regulations of the County.

*Subject Property* shall mean the property described on Exhibit "A" attached hereto. (Or described as (and insert legal): \_\_\_\_\_ ).

2. The Conditions of Approval contained in this Order shall be enforceable against the Applicant, any of the Applicant's parent entities, any of the Applicant's subsidiary entities that are involved in any way in the activities, uses, or operations approved by this Order, the owner of the Subject Property, any operator of the activities or operations approved by this Order, the holder of the special exception approval granted by this Order, or any of their successors or assigns, jointly and severally. In addition, any decision, approval, or determination made or required to be made by the County or the Department pursuant to any Condition of Approval contained in this Order shall be final.

**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

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**STANDARD CONDITIONS OF APPROVAL**

3. The approval granted by this Order is for \_\_\_\_\_ (insert the use from the Application). The approval granted by this Order is also subject to any and all conditions or requirements contained in Section \_\_\_\_\_ (insert the specific section number that governs the use, if any), Levy County Code, for \_\_\_\_\_ (insert the term from the Code for the proposed use), and all other applicable provisions of the Levy County Code, regardless of whether such condition or requirement is expressly set forth in these Conditions of Approval.

4. Issuance of this Order does not in any way create any rights on the part of the Applicant to obtain a permit from any state or federal agency and does not create liability on the part of the County for issuance of this Order if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by such state or federal agency or undertakes actions that result in violation of state or federal law.

5. All other state or federal permits applicable to the approvals granted by this Order shall be obtained prior to commencement of the use of the Subject Property for \_\_\_\_\_ (insert proposed use from Application).

**I have read and understand the foregoing Standard Conditions of Approval and that these Standard Conditions of Approval will be contained in any Order granting approval of this application, if this application is approved, in substantially the same form as shown.**

**Applicant's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**SPECIAL EXCEPTION APPLICATION  
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**Section VII. COMPREHENSIVE PLAN.** The proposed use must be compatible with the Comprehensive Plan and Future Land Use Map. Refer to the adopted Levy County Comprehensive Plan for applicable goals, objectives and policies. For assistance, call the Levy County Planning and Zoning Department at 352-486-5203.

**Section VIII.** The applicant states that he/she has read and understands the instructions and submission requirements stated in this application. Approval granted by the BOCC in no way constitutes a waiver from any applicable local, state, or federal laws, statutes, ordinances, rules or regulations.

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner or authorized agent of the above described property.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

**Section IX. APPLICATION INSTRUCTIONS:**

- ( a ) An application for a special exception must be accompanied with a fee as contained in the most recent fee schedule adopted by the BOCC. Please note, the application fee may be subject to change. Confirm fee at the time of application.
- ( b ) If the applicant is not the owner of record of the property, the owner must agree to this application either by signing the application form, or by submitting a notarized letter authorizing the applicant to act as an agent. **Owner's authorization is required at the time this application is submitted.**
- ( c ) **All required documentation and submission material is required to accompany the application at the time the application is submitted. Applications are screened for completeness. Depending on the proposed use, additional information may be required. Failure to provide all information and submission material required shall delay the review of the application until such time as all materials are received.**
- ( d ) The minimum criteria for the applicable zoning district must be met uniformly for every special exception. These standards are not exclusive of any other standards which may be established by the Planning Commission or the BOCC due to particular circumstances which are unique to the property for which the special exception is being requested.
- ( e ) **Special exception applications are processed once a month. Applications received and found complete by the first day of a month will tentatively be scheduled, advertised and presented at the Planning Commission public hearing the following month, and for the BOCC public hearing the next following month. Applications received after the first day of a month will not be scheduled for the following month.**
- ( f ) Any information changes must be submitted in writing to the Planning and Zoning Department and received within 10 working days prior to the Planning Commission public hearing.

**SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA**

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( g ) Applications may be submitted as follows:

In Person: Levy County Planning and Zoning, 320 Mongo Street, Bronson, Florida.

Levy County Planning and Zoning, 320 Mongo Street, Bronson, Florida, 32621.

By Mail:

( h ) This office will prepare the poster and place it on the property involved in this request.

( i ) Abutting property owners will be notified by mail of the request. "Abutting property" is any property immediately adjacent or contiguous to the property which is the subject of this request or located within 300 (three hundred) feet of the subject property lines including, immediately across any road or public right-of-way for said property.

( j ) **The parties in interest (including the applicant) shall appear at the hearings in person, by agent, or by attorney. (Section 50-798, Application Procedures, Levy County Code)**

The Planning Commission or the BOCC, at their respective discretion, may defer action, or take decisive action on any application.

**Additional Assistance:** If you require further information, please contact the Planning and Zoning Department at (352) 486-5203, email to: [planning@levycounty.org](mailto:planning@levycounty.org) or visit the above address in person.

OFFICE USE ONLY:

Planning Commission Public Hearing Date: \_\_\_\_\_

Planning Commission Recommendation: Approval \_\_\_\_\_ Denial \_\_\_\_\_

BOCC Public Hearing Date: \_\_\_\_\_

BOCC Action: Approval \_\_\_\_\_ Denial \_\_\_\_\_

Order Number: \_\_\_\_\_ Adoption Date: \_\_\_\_\_

Notes, Instructions and Comments:



SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA

Section X. CERTIFICATION

The undersigned has read and understands the application, and has received, read and understands the submittal requirements. It is agreed and understood that the undersigned will be held responsible for the accuracy of the application and information submitted. The undersigned hereby attests to the fact that the parcel number (s) and legal description (s) provided is/are the true and proper identification of the area of which the petition is being submitted. Signatures of all owners or their agents are required on this form. Signatures by other than the owner (s) will be accepted only with notarized proof of authorization by the owner (s).

Owner of Record

Name: Ryan Thomas

Address: 11151 N.E. 35th St., Bronson, FL 32621

Phone: (352) 258-9547

Owner of Record

Name: Lee A. Thomas

Address: 4990 N.E. 195th Ct., Williston, FL 32696

Phone: (352) 258-9547

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at any pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form. To meet with staff to discuss the proposal, please call (352) 486- 5203 for an appointment.

OWNER VERIFICATION

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner of the above described property.

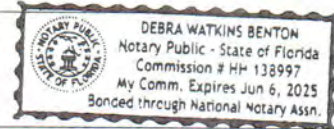
Date: 5/16/23 Owner Signature: *[Signature]*

STATE OF FLORIDA  
COUNTY OF Levy

Sworn to and scribed before me this 16 Day of May 20 23, by (name)

Personally known  Identification Expiration Date:

*[Signature]*  
Notary Public Signature



AGENT VERIFICATION

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the authorized agent of the above described property.

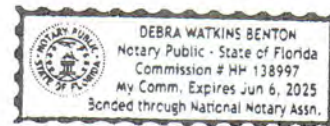
Date: 5/16/2023 Authorized Agent Signature: *[Signature]*

STATE OF FLORIDA  
COUNTY OF Levy

Sworn to and scribed before me this 16 Day of May 20 23, by  
*Ryan Thomas*

Signature - Notary Public *[Signature]*

Personally known  Identification Expiration Date



SPECIAL EXCEPTION APPLICATION  
LEVY COUNTY, FLORIDA

Section X. CERTIFICATION

The undersigned has read and understands the application, and has received, read and understands the submittal requirements. It is agreed and understood that the undersigned will be held responsible for the accuracy of the application and information submitted. The undersigned hereby attests to the fact that the parcel number (s) and legal description (s) provided is/are the true and proper identification of the area of which the petition is being submitted. Signatures of all owners or their agents are required on this form. Signatures by other than the owner (s) will be accepted only with notarized proof of authorization by the owner (s).

Owner of Record

Name: Ryan Thomas

Address: 11151 N.E. 35th St., Bronson, FL 32621

Phone: (352) 258-9547

Owner of Record

Name: Lee A. Thomas

Address: 4990 N.E. 195th Ct., Williston, FL 32696

Phone: (352) 258-9547

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at any pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form. To meet with staff to discuss the proposal, please call (352) 486- 5203 for an appointment.

OWNER VERIFICATION

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner of the above described property.

Date: 5/16/2023

Owner Signature

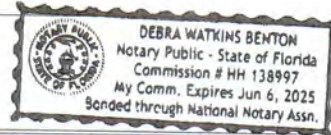
STATE OF FLORIDA  
COUNTY OF Levy

Sworn to and scribed before me this 16 Day of May 20 23, by (name)

Personally known

Identification Expiration Date:

Notary Public Signature



AGENT VERIFICATION

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the authorized agent of the above described property.

Date: 5/16/2023

Authorized Agent Signature

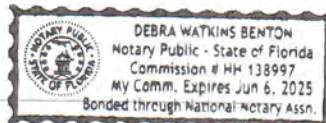
STATE OF FLORIDA  
COUNTY OF Levy

Sworn to and scribed before me this 16 Day of May 20 23, by

Signature - Notary Public

Personally known

Identification Expiration Date



ATTACHMENT "A"

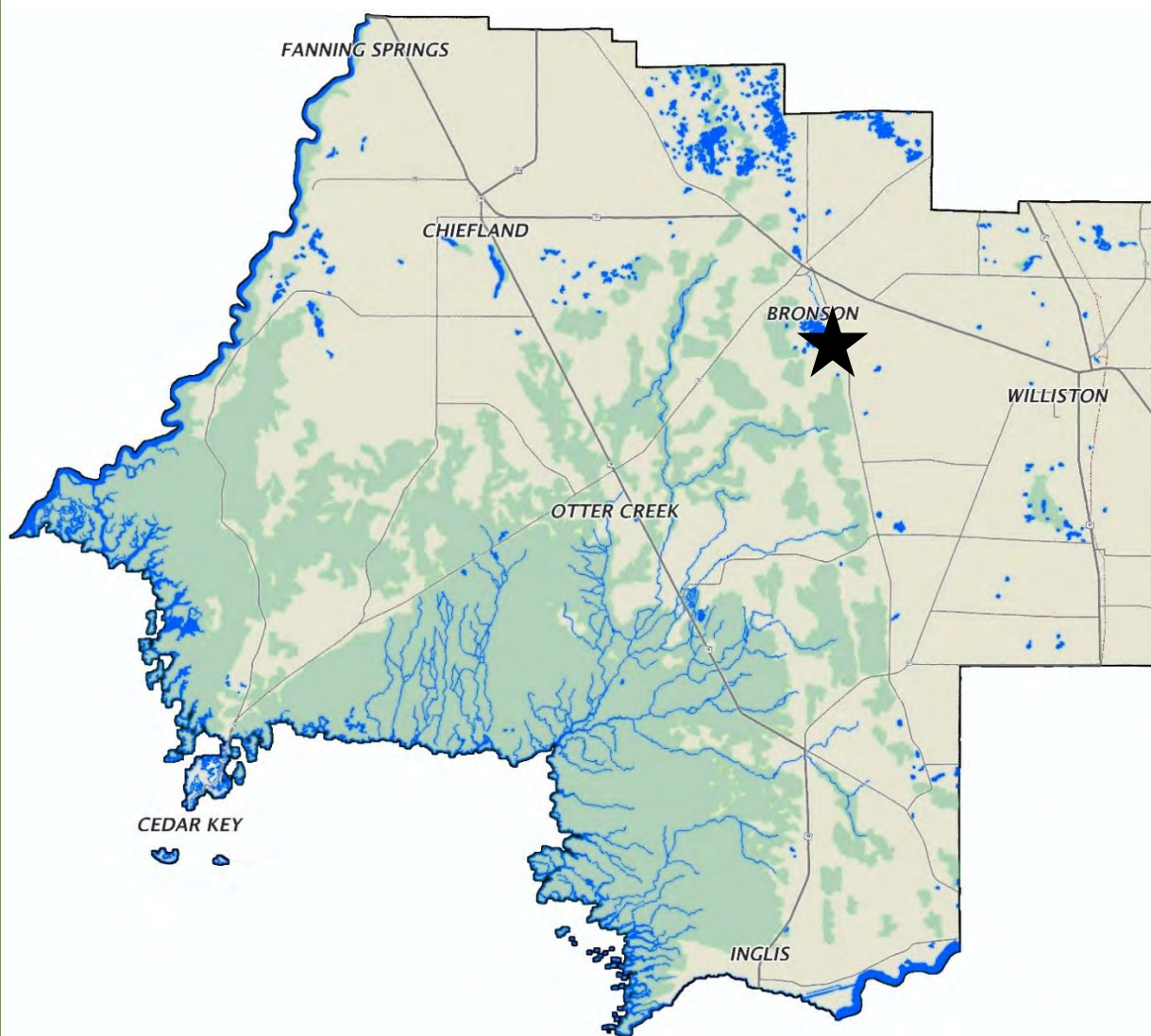
SECTION II: PARCEL INFORMATION

INGRESS/EGRESS PROPERTIES

<u>Parcel Number(s)</u>	<u>Section/Township/Range</u>	<u>Acreage</u>	<u>Owner</u>
5) 0360400600	02 / 13S / 17E	80+/-	Ryan Thomas
6) 0360400000	02 / 13S / 17E	40+/-	Ryan Thomas
7) 036040040B	02 / 13S / 17E	20+/-	Ryan Thomas
8) 036040040A	02 / 12S / 17E	20.54+/-	Ryan Thomas
9) 0360400400	02 / 13S / 17E	40.54+/-	Ryan Thomas
10) 0360400500	02 / 13S / 17E	80+/-	Ryan Thomas
11) 0360600500	03 / 13S / 17E	26+/-	Ryan Thomas
12) 0360600300	03 / 13S / 17E	151.44+/-	Lee A. Thomas
13) 0360600000	03 / 13S / 17E	45.83+/-	Lee A. Thomas
14) 0359400000	34 / 12S / 17E	160+/-	Lee A. Thomas
15) 0359200000	33 / 12S / 17E	49+/-	Lee A. Thomas

# SPECIAL EXCEPTION APPLICATION SE 23-01

## 3RT Sand Mine



PREPARED  
JUNE 12,  
2023

LEVY COUNTY PLANNING AND ZONING DEPARTMENT  
STAFF REPORT

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

**Owner(s):** Ryan Thomas  
11151 NE 35<sup>th</sup> Street  
Bronson, FL 32621

Lee Thomas  
4990 NE 195<sup>th</sup> Street  
Williston, FL 32696

**Applicant:** DNM Engineering Associates, Inc. on behalf of Ryan Thomas  
PO Box 42  
Ocala, FL 34478

**Legal**

**Description:** See legal descriptions attached as part of the application

**Parcel ID Number(s): Mine Parcels:** 0359701600, 0359700400, 0359700000, and 0359700300  
**Ingress/Egress Parcels:** 0360400600, 0360400000, 036040040B, 036040040A, 0360400400, 0360400500, 0360600500, 0360600300, 0360600000, 0359400000, and 0359200000

Commission Dist.: District 1, Commissioner John Meeks

Total Project Area: Approximately 400 acres of mining and 713.35 additional acreage for ingress/egress for a total acreage of 1113.35 MOL.

Current Land Use Designation: Agriculture/Rural Residential (A/RR) and Rural Residential (RR)

Current Zoning Designation: Mining area in Agriculture/Rural Residential (A/RR) and Access in Agriculture/Rural Residential (A/RR) and Rural Residential (RR)

Existing Use of Property: Residential, vacant, pastureland, cropland and accessory farming structures

Proposed Use: Major Mining, Excavation and Fill (Sand Mine), no blasting

\*\*\*\*\*

**Staff Review Based on Submitted Application:**

The applicant is requesting a Special Exception via Land Development Code Section 50-796 and specifically from Sec. 50-719 Mining and excavation of minerals, resources, or natural resources, and site reclamation. In Agriculture/Rural Residential, sand mines require a Special Exception. The applicant is considering this Major Mining because the following threshold has been met: a mining activity or operation where more than 10,000 cubic yards of earth, minerals, resources, or natural resources are excavated or removed from or deposited on a tract or parcel of 20 acres or greater.

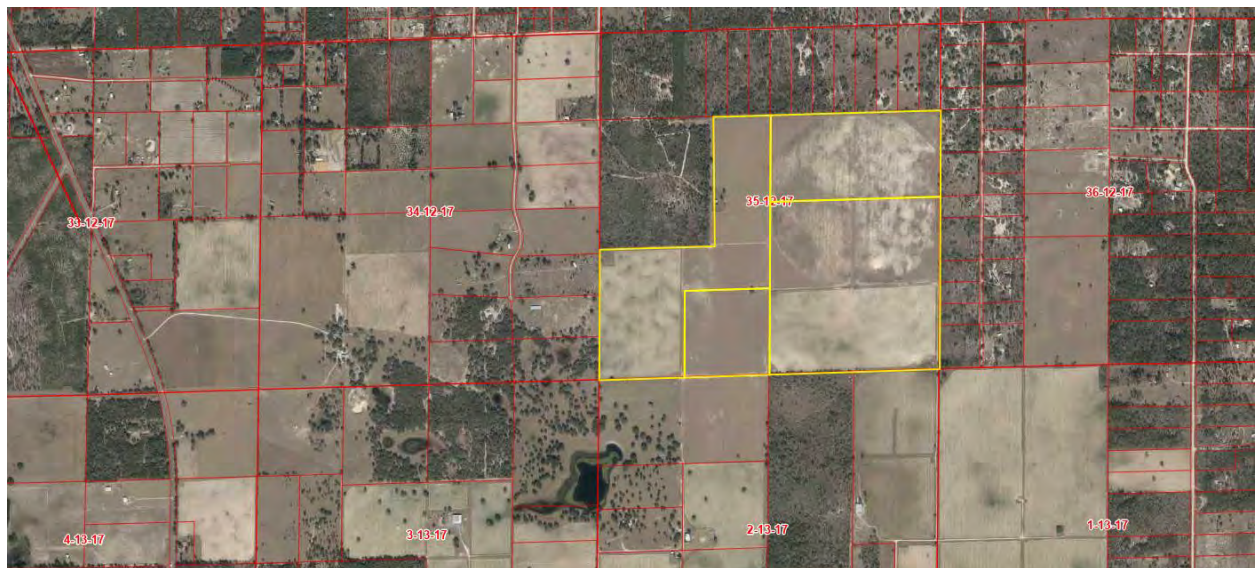
The mine will operate on the four parcels listed above and utilize 11 other “family” property for ingress/egress to access CR 337, a county, maintained, paved road classified as a major collector. See the specific parcels listed above.

This property lies approximately 4 miles from downtown Bronson. This parcel is surrounded by Agriculture/Rural Residential (A/RR) and Rural Residential (RR). It is also adjacent to the University of Florida Rosemary Hill Observatory which has a future land use and zoning of Public Facilities.

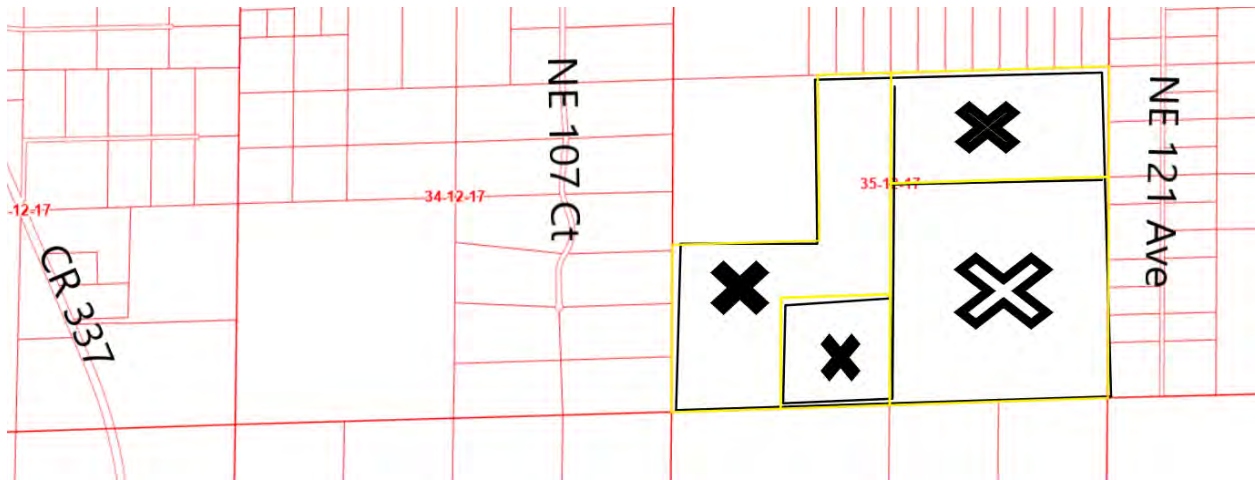
The applicant, included in their submittal, their detailed site plan, ingress/egress plan, photo array, ERP Application including the Geotech Report. This will be required to permit through both the Southwest Florida Water Management District and the Department of Environmental Protection.

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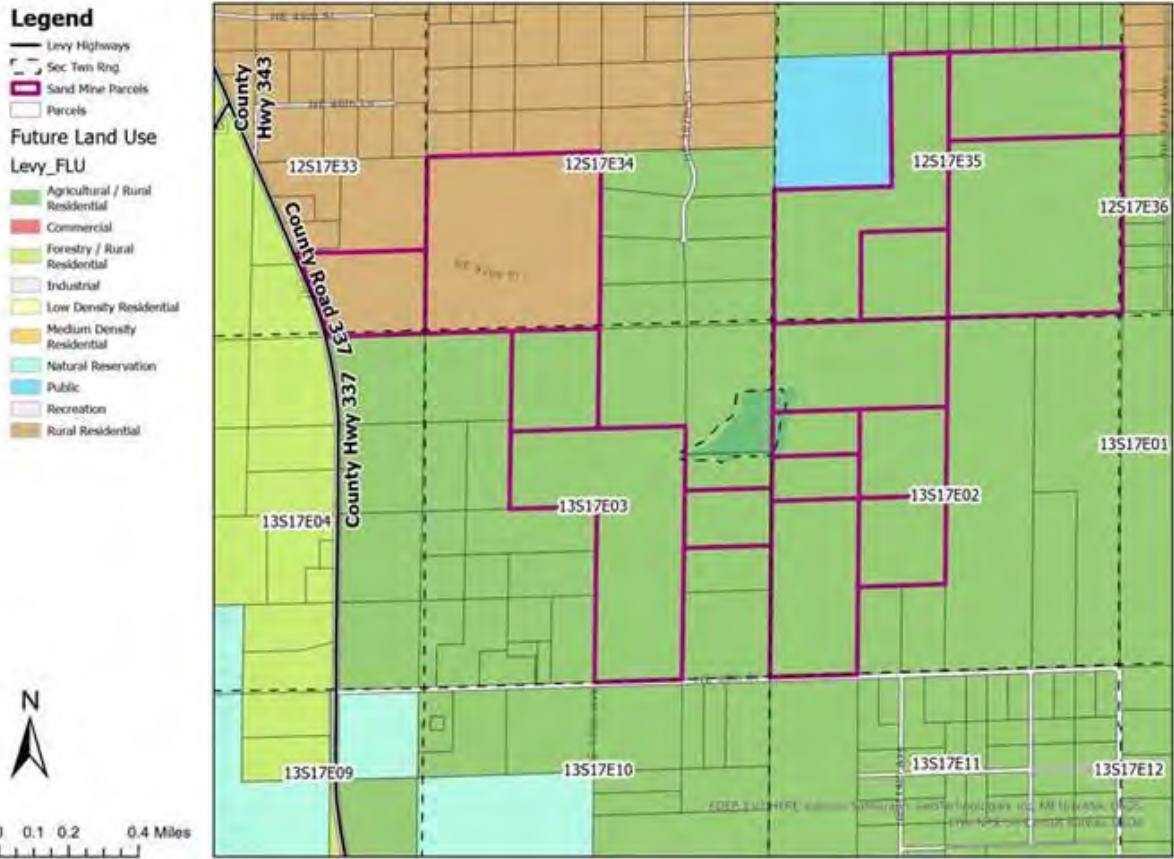
**Aerial Location Map 3RT Sand Mine (mine parcels)**



# Parcel Map 3RT Sand Mine (mine parcels)



Future Land Use Map of Proposed 3RT Sand Mine Parcels, including those used for access.



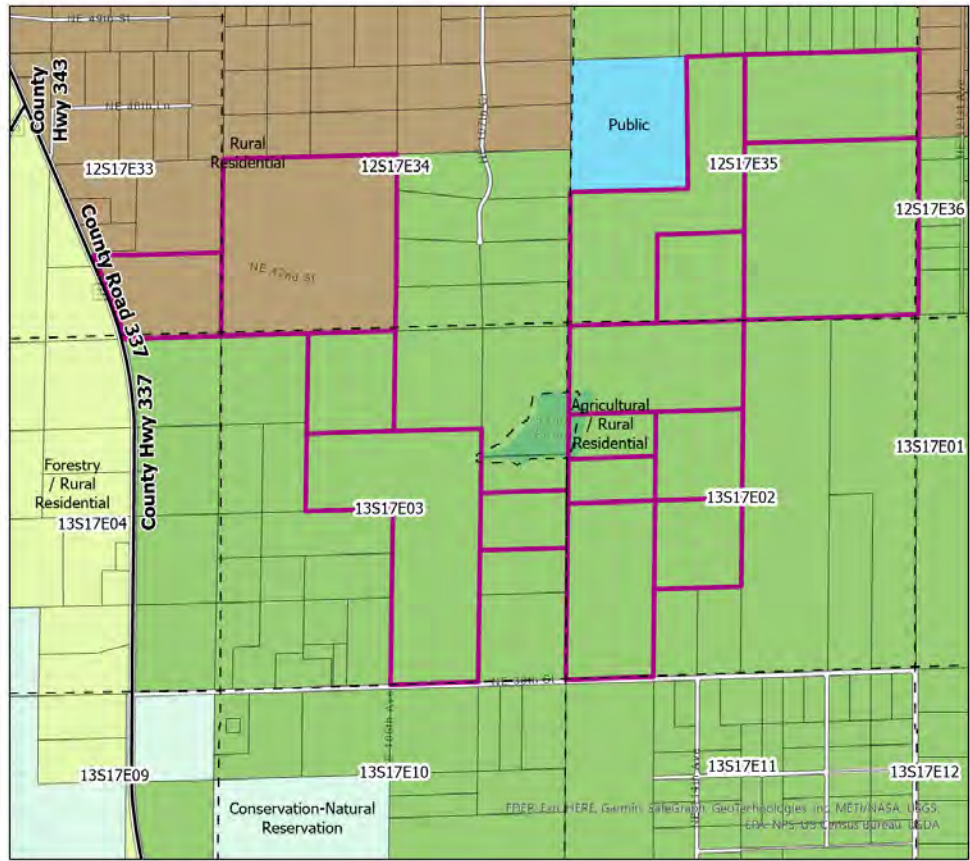
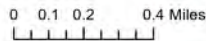
**Zoning Map of Proposed 3RT Sand Mine Parcels, including those used for access.**

**Legend**

- Levy Highways
- Sec Twn Rng
- Sand Mine Parcels
- Parcels

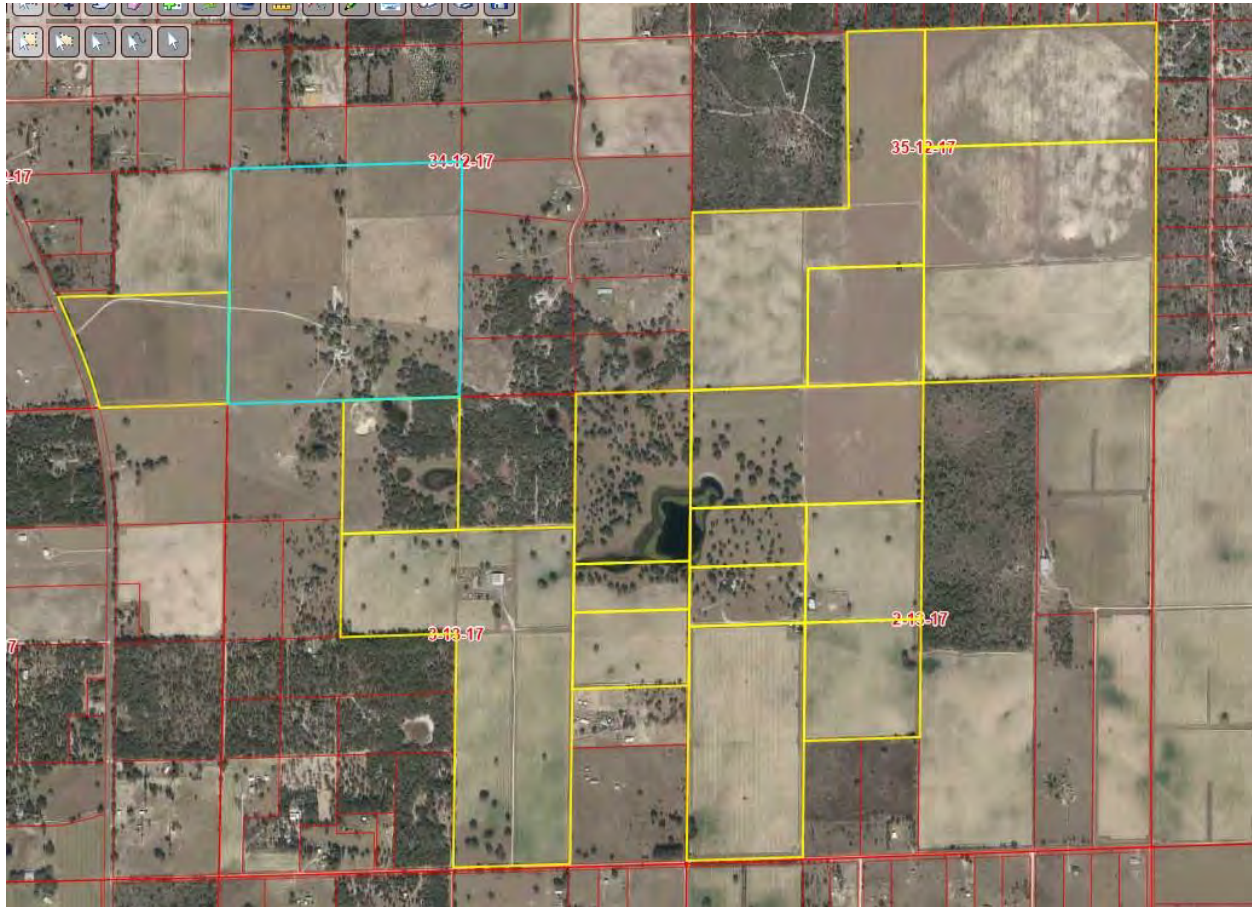
**Zoning**

- Zoning Category**
- Agricultural / Rural Residential
  - C-1
  - C-2
  - C-3
  - C-4
  - Conservation-Natural Reservation
  - Forestry / Rural Residential
  - Industrial
  - Muni, ROW
  - Public
  - R-1
  - R-2
  - RMU
  - RR-3C
  - Recreation
  - Rural Residential





## Ingress/Egress map to CR 337



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### Code Section Review of Application:

The following are the code sections related to special exceptions. Staff has provided comments following each applicable code section marked in **bold**.

#### **DIVISION 5. STANDARDS AND REQUIREMENTS FOR SPECIAL EXCEPTIONS**

##### **Subdivision I. Special Exceptions in General**

##### **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. Sec. 50-676 of the Land Development Code is what enables an applicant to apply through Sec. 50-796. Applicant response in *italics*. Staff response in **bold**.

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 Levy County Comprehensive Plan.

**Mining is allowed as a special exception within A/RR and RR zoning.**

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

*The proposed use is remotely located and will be operated in accordance with the requirements of Chapter 50-719 of the Levy County Code in order to protect Public Health, Safety, Welfare and Convenience.*

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

*By incorporating the requirements of 50-719 of the Levy County Code into the design of the proposed use, the proposed use will not cause substantial injury to the value of the property (s) in the neighborhood where it is located and the land will return to the original use of Farm/Crop land upon completion.*

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.

*The proposed property is suitable for the proposed mining activity based upon the geotechnical evaluation performed on the property and based upon the location, shape, topography, and is similar in compatibility with neighboring properties that major mining activities are allowed as a Special Exception within District A/RR.*

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.

*The proposed project will incorporate a vegetative buffer consisting of the planting of sand pines spaced 6 feet apart in staggering rows 6 feet apart within a minimum 50 feet width of the provided 100 feet setback from the property lines and to provide a minimum 80% opacity while standing at the property lines.*

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.

*No off-street parking and loading are required for the proposed use and the Ingress/Egress to/from the property will be from a privately owned improved road therefore not causing congestion of vehicular or pedestrian traffic on abutting streets.*

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

*The proposed major mining use conforms with all applicable regulations governing the District A/RR.*

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.

*The proposed major mining use is consistent with the Levy County Comprehensive Plan, Land Development Code, and the application and use complies with the applicable requirements of Chapter 50-719 of the Levy County Code*

#### **Staff Review of Code Section 50-719 (c) and (d) Minimum criteria, standards and conditions**

(c) Minimum criteria, standards and conditions. When reviewing an application for special exception for a major mining operation, the planning commission shall not recommend approval of such application unless the application meets all of the applicable criteria, standards, conditions and requirements contained in all applicable sections in division 5, article XIII, of this chapter 50, and in this section. The board of county commissioners may grant a special exception application for a major mining operation, provided that such application complies with all applicable provisions and requirements of division 5, article XIII, of this chapter 50, and all applicable provisions of this section. A finding by the board of county commissioners that any of the criteria, standards, conditions or requirements in this section have not been adequately addressed to protect area residents, businesses and the health, safety and welfare of the community as a whole shall result in the denial of an application for a special exception for a major mining operation. In addition to any criteria, standards, conditions, and requirements contained in elsewhere in this division 5 of article XIII of this chapter 50, an application for a special exception for a major mining operation shall meet the following criteria, standards, conditions, and requirements:

- (1) The proposed mining operation complies with all the required regulations and standards of this chapter, including provisions of division 5 and of this section specifically, and all other applicable regulations.

**Staff has reviewed and the application meets the criteria.**

- (2) The proposed mining operation is serviced by roads of adequate capacity to accommodate the traffic volume and load impacts and not adversely impact surrounding uses; or the applicant

enters into an agreement with the county to make the necessary improvements to the impacted roads.

**The primary ingress/egress is required to be off of CR 337. The applicant is requesting additional access off of CR 103 and to HWY 27 ALT via a 30' easement. Staff would require a 60-foot easement with this kind of truck volume. So the easement access to HWY 27 ALT is not supported by staff. The southerly route is acceptable to County Engineer and Road Department, if provisions are made for the applicant to demonstrate acceptable strength of the roadway for the additional truck traffic and/or enters into an "agreement with the county to make necessary improvements" to sufficiently handle the roadway and to contribute to the maintenance of this roadway based on their proportionate fair share and that adequate connection is made at the connection to LCR 103.**

(3) Screening and buffering for the proposed mining operation, where necessary, is of such type, dimension and character to improve compatibility of the proposed mining operation with uses and structures of adjacent and nearby properties.

**Staff feels the plans as submitted and the description of the buffer and screening meet the intent of this code section.**

(4) The proposed mining operation is consistent with the comprehensive plan and conforms with the general plans of the county as embodied in the comprehensive plan.

**The type of use is consistent with the A/RR and RR land use and zoning designations as a special exception to the zoning.**

(5) The proposed mining operation will not adversely impact springs, rivers, tributaries, or water quality. The director of the county development department or the board of county commissioners may require that a licensed professional geologist, registered with the State of Florida, make this determination by using existing or new geological, hydro-geological, water quality or any other pertinent data. If required by the director of the county development department, the applicant shall supply the determination prior to the hearing on the application with the planning commission. If required by the board of county commissioners, the applicant shall supply the determination when directed by the board.

**Based on the reports submitted, and the distance from any of these natural resources, and without the South West Florida Water Management District or Florida Department of Environmental Protection finding any objections to this proposed sand mine, staff does not feel that these resources would be impacted negatively since this is a mine that will not be affecting the water table.**

(6) The proposed mining operation will not result in such noise, odor, dust, vibration, off-site glare, substantial traffic or degradation of road infrastructure so as to adversely impact surrounding development or cause hazardous traffic conditions.

**Beeping from the backing of the trucks could potentially be a noise issue.**

(7) The proposed mining operation will not adversely impact the recreational enjoyment of state, federal or county parks by the public.

**This mine would not negatively affect impact the parks in the county as it is not near any county, state or federal parks.**

(8) The proposed mining operation will not cause an adverse environmental impact to dumpsites, landfills or effluent ponds, or public water supply wellhead, as shown by an environmental impact study prepared by a firm or individual qualified by experience and any necessary licensing to prepare such study, which study shall be submitted by the applicant with the application. Such study may be included as part of a mining impact assessment report submitted by the applicant.

**Per the applicant's cover letter there will be no adverse environmental impacts to the above listed since it is not in the vicinity of the above listed.**

(9) The proposed mining operation is not located in a prohibited area, and meets all requirements regarding buffering, access, application, impact assessment report, documentation, setback, slope, and reclamation requirements, and any other requirements, all as contained in this section.

**The application, as submitted, and the text that accompanies it, demonstrates these requirements are met.**

(10) The proposed mining operation has obtained all other federal, state or local permits.

**The applicant has obtained an Environmental Resource Permit from the SWFWMD and has submitted a notice of intent to mine to FDEP. Note that the application package for the notice of intent to mine does not appear to have been provided in the Special Exception package.**

(11) The proposed mining operation will not be detrimental to the area residents or businesses, or the public health, safety or welfare of the community as a whole.

**As discussed above the proposed activity appear to be sufficiently separated from residential and business areas to not be detrimental to the public health, safety or welfare of the community as a whole.**

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(d) Specific criteria, standards, conditions and requirements for special exceptions for major mining operations. In order to meet the criteria, standards, conditions, and requirements for approval of an application for a major mining operations special exception, in addition to the minimum criteria, standards, and conditions provided above, the following provisions shall apply:

(1) Prohibited areas for major mining operations. The following are areas where major mining operations shall be prohibited:

- a) Site not located within required distance of abandoned dumpsites, landfills, or effluent ponds as identified by FDEP.**
- b) Site is not located within 1000 feet of a public water supply wellhead and no blasting is proposed.**
- c) Site is not located within one mile of a public water supply wellhead.**
- d) Site is not located within 2 miles of Manatee Springs or Fanning Springs State park.**
- e) Site is not located within one mile corridor (one-half mile on either side) of known geological features with the potential to Impact Manatee Springs or Fanning Springs. Additional study is not recommended to be required.**
- f) The site is not located within one-quarter mile of schools, hospitals, parks.**
- g) The site is not located within one-quarter mile of a platted and recorded subdivision with lot sizes of 5 acres or less. There are unrecorded subdivision with 5 acre lots adjacent to the east boundary of the site. The applicant is proposing a 100 foot buffer with a minimum 50 vegetative area. A berm is also proposed in some areas to provide additional screening.**

(2) Buffering standards. When required by the board of county commissioners for any major mining operation, the following buffer standards shall apply:

- a) Applicant is proposing a 100 foot buffer round the total mine area. This is shown on the plans and described in the DNM cover letter. Note that the plans do not specify or detail the makeup of the buffer.**
- b) Applicant is proposing a 100 foot buffer. This is shown on the plans and described in the DNM cover letter. Note that the plans do not specify or detail the makeup of the buffer.**
- c) The applicant in the DNM cover letter proposes a 50 feet area within the 100 foot buffer be in planted with 3 rows spaced at 8 feet of sand pines spaced at 6 feet with a stagger. Additionally the DNM cover letter describes a berm to provide additional screening to meet the 80% opacity requirement. Specifications nor detail of the buffer or berm appear to be provided in the plans.**
- d) The proposed buffer described in the DNM cover letter appears to provide the required buffer described in the code, however this information does not appear to be provide in the plans.**
- e) An 8-foot high earthen berm is described in DNM cover letter with slopes not exceeding 1V:1H. The plans appear to show the berm or provide details as to where or how to construct it. No indication of method of stabilizing the berm is provided in the letter or in the plans. Sufficient topography is not provided in the plans to**

**determine if a berm would be detrimental to offsite properties by not allowing runoff to continue into the mine area.**

3. Access Requirements.
  - a. **The proposed route to C-337 provides access to a road classified as “Major Collector-Rural”. The southern alternate route to LCR 103 does not provide direct access to a road with a minimum classification of major collector or arterial road as it is classified as a “Local” road. The northern alternate route does provide access to US 27 Alt classified as a “Principal Arterial” which exceeds the criteria.**
  - b. **The proposed route to C-337 provides ingress and egress onto a paved county road. The alternate routes also provide access onto paved county or state roads. However the classification of LCR 103 for the southern alternate does not meet the requirement to be a minimum classification of major collector.**
  - c. **The proposed access to C-337 is not through a platted recorded or unrecorded subdivision. The northern alternate route appears to go through unrecorded subdivisions and is adjacent to a recorded subdivision. The southern alternate does not appear to go through platted recorded or unrecorded subdivisions.**
  - d. **The applicant provided traffic information to demonstrate that the proposed activity will not be detrimental to C-337. The proposed haul route to C-337 is within the “family” property of the applicant. The northern alternate route would require travel through private property. No assurances have been provided that the northern route would not damage the private property.**
4. Setback Requirements
  - a. **The proposed activities are not within 100 feet of any road right-of-way boundary.**
  - b. **A 100 foot buffer is proposed along the entire perimeter of the mine area, therefor the requirement to be 50 feet away from undeveloped lot and 100 feet from a developed lot is met.**
5. Slope requirements. **The proposed side slopes of the sand mine excavation are proposed at a maximum of 1V:3H.**
6. Reclamation plan. **The DNM cover letter indicates that a notice of intent to mine was submitted to FDEP. The contents of this notice do not appear to have been submitted with the Special Exception application. No reclamation plan appears to be provided in the application other than grading the side slopes to no steeper than 1V:3H and a brief mention in the “fill activities” section of the Mining Impact Assessment Report which indicates that “clean fill may be used to reclaim the subject property back to the original agricultural use and existing grade.”**

7. Mining impact assessment report. All applications for proposed major mining operations that will include blasting or the processing of raw material shall present a mining impact assessment report prepared by a professional environmental consulting, planning or engineering firm addressing subsections a. through d. below. The assessment report shall identify impacts to reflect all individual and cumulative impacts resulting from phasing of the proposed mining operations or activities.

**Mining Impact Assessment Report. The DNM cover letter provides responses to the required items.**

- a. Compatibility. Blasting is not proposed. A 100 foot buffer is proposed to mitigate sound and vibration transmission to offsite area. The proposed activity is not expected to cause vibration beyond the proposed buffers. The equipment utilized for loading and the trucks area typically equipped with back-up alarms which may be heard beyond the proposed buffers especially when operated near the perimeter of the mine. The ERP report submitted indicates no issues with environmental resources. There does not appear to be any cultural or historical resources in the area of concern.**
  - b. Transportation System. A traffic study was submitted by Kittelson & Associates and Pavement Analysis for C-337 by Geo-Tech, Inc. as discussed in IIC2 above.**
  - c. Water Pumping Activities. Water pumping activities do not appear to be proposed or required for the facility. It is noted that there are two existing wells within the proposed excavation area. It appears that a 100 foot buffer will be provided around these wells.**
  - d. Fill Activities. The DNM cover letter indicates that they “will only utilize clean fill material to reclaim the subject property to the original agricultural use and existing grade.” No specific fill activities are indicated in the plans. Any plans for filling should be provided for review and approval.**
- 8. Documentation/Application. The applicant has provided the following documents:**
- a. DNM cover letter to Levy County Planning & Zoning date May 24, 2023 which includes brief description of the project and provides narrative to the items required by Section 50-719 Subdivision II (c) and (d). This includes a section entitled “Mining Impact Assessment Report.”**
  - b. Environmental Resource Permit Application for 3RT Sand Mine dated March 2023 prepared by DNM Engineering & Associates, Inc.**
  - c. Environmental Resource Permit Plans for 3RT Sand Mine dated 3/1/2023 by DNM Engineering & Associates, Inc.**
  - d. SWFMWD ERP permit 43046299.000 issued 12/22/2022**
  - e. Boundary survey by Rogers Engineering, LLC date 2/28/2023**



- f. **Pavement Analysis dated 4/21/2023 prepared by Geo-Tech, Inc.**
- g. **Traffic Impact Statement dated 4/17/2023 prepared by Kittleson & Associates**
- h. **Ingress/Egress Map dated 5/4/2023 prepared by DNM Engineering & Associates, Inc.**
- i. **Property Appraisers Aerial Overlay dated 2/28/2023 prepared by DNM Engineering & Associates, Inc.**
- j. **Photograph array of mine property**
- k. **Special Exception Application**

(9) Application fee. An application for a special exception for a major mining operation shall be accompanied by the applicable fee set out in the fee schedule maintained by the county development department. The application fee is non refundable, whether the application is ultimately approved or denied.

**The application fee and fee for mailing additional letters for the 2-mile radius were paid at the time of submittal.**

10. Excavation and Fill permit

- b. Required for major mining operation
- c. Application Requirements.
  - i. Boundary Survey was provided for the mine area. A boundary for the property containing the haul route was not provided.
  - ii. Site Plan was provided as Sheet SM2. The site plan provides the required information with the exception of distances of buildings to property lines and distances to existing offsite structures.
  - iii. A sheet with the proposed hauling route was provided.
  - iv. A description of the proposed work was provided in the DNM letter. The expected duration of the activity does not appear to have been provided.
  - v. The proposed activity is not within an environmentally sensitive area. A copy of the SWFWMD ERP permit was provided.
  - vi. The project is not located within the 100-year flood plain of the Suwannee River.
  - vii. The project does not appear to be creating a pond. The proposed excavation depth is indicated to be 3 feet above the estimated seasonal high water table established in the geotechnical report provided in the ERP application.
  - viii. The project is not within an existing body of water.
  - ix. The project is not near any stormwater system currently maintained by a public or private entity.
  - x. A berm is mentioned in the DNM letter within the 100 foot buffer. The berm is not shown or detailed in the plans provided. It is not apparent if such a berm would affect the natural flow or drainage patten of surface water into the site from offsite areas.
  - xi. Application Fee. Defer to the Development Department.
- d. Permit Review and approval process

- i. Hauling Requirements.
    - a. Does not appear to be applicable to a mine.
    - b. Does not appear to be applicable to a mine.
    - c. Does not appear to be applicable to a mine.
    - d. Include in the permit or Special Exception order.
  - ii. The maximum excavation depth is proposed to be 3 feet above the estimated seasonal high water table as established in the geotechnical report provided in the ERP application.
  - iii. No blasting is proposed.
  - iv. No excavation is proposed within 100 feet of the right-of-way of a public road, nor 50 feet of a property line or a private easement.
  - v. The proposed side slopes of the excavation are indicated to be 1V:3H maximum
  - vi. This review serves as the County Engineers review of the Excavation and Fill permit application and the Special Exception permit application.
  - vii. The County Engineer finds that the 3RT Sand Mine is not expected to be detrimental to the health, safety or general welfare of the adjacent properties or the community, with the following stipulations:
    - a. Any berm constructed along the perimeter be design and constructed to permit runoff from offsite areas which historically flowed into the mine property to continue to do so.
    - b. Buffers as described in the DNM letter are implemented around the perimeter of the mining area.
    - c. Should offsite areas adjacent to the proposed haul route be adversely affected, the haul route will be adjusted to eliminate the adverse condition.
    - d. Should any groundwater become apparent in the excavation area, the area will be backfilled to a level 3 feet above the water level.
    - e. Existing wells within the mine area will either be properly abandoned or a minimum 100 foot radius buffer will be maintained around the well.
    - f. Once final grades are reached by the excavation, the area will be reclaimed by restoring vegetation to the area within 3 months.
    - g. A berm, excavation or other method shall be implemented where runoff from the excavation area may leave the site.
    - h. Areas within the proposed mine area, which are not currently being mined shall remain either as pasture or cropped in accordance with established Best Management Practices.
  - viii. Include language in the permit.
  - ix. The SWFWMD permit has been obtained and provided.  
Acknowledgement and approval of the FDEP notice of intent to mine shall be provided prior to issuance of permit.
- e. Operation of permit
- i. Posting permit at site. Include language in permit.
  - ii. Duration. Duration of the permit needs to be established. A sunset provision needs to be provided. Can a permit be for each mining block? So that they have to get a new permit for each mining block so that we can review what they have done?

- iii. Inspections. Include language in permit. Annual inspection? Code language doesn't appear to anticipate an ongoing mine project.
- iv. Forfeiture. Include language in permit.

**An Excavation and Fill permit application was submitted in conjunction with the Special Exception application. The Excavation and Fill permit has been reviewed by the County Engineer. A copy of his review is attached and has been incorporated into the staff comments herein for the special exception.**

(9) Application fee. An application for a special exception for a major mining operation shall be accompanied by the applicable fee set out in the fee schedule maintained by the county development department. The application fee is non refundable, whether the application is ultimately approved or denied.

**The application fee and additional cost of mailing was provided at the time of submittal.**

(10) Excavation and fill permit application included. An application for a special exception for a major mining operation shall be accompanied by an application for an excavation and fill permit which meets all the requirements for such permit as provided in this section.

**An excavation and fill permit application has been submitted.**

(11) Public notice requirement. In addition to any other notice requirements for a special exception contained within [division 5](#) of article XIII [sic article II], the extent of the notice required to be provided to surrounding property owners for an application for a special exception for a major mining operation shall be extended from 300 feet to two miles in the event that the proposed major mining operation includes blasting or 50 or more one way truck trips per day. The additional cost incurred by providing notice beyond 300 feet shall be calculated and paid for by the applicant prior to the public hearing on the special exception to be held before the planning commission.

**Because of the number of daily trips this sand mine required the two-mile radius mailing requirement. Approximately 2,800 notices were mailed on April 14, 2023.**

(12) Duration of approval; amendment of approval. Any special exception approval granted for a major mining operation pursuant to the provisions hereof shall be valid for a period specified for completion of all operations, including necessary reclamation as set forth in the approved mining and reclamation plan. The board of county commissioners, as it determines necessary to protect the public interest, may require such changes in the duration of a special exception approval as conditions warrant. The applicant or subsequent owner or operator of an approved major mining operation may also, on any anniversary date of the approval of the special exception, seek an amendment of the special exception conditions in order to vary or expand the scope of the major mining operation by filing an application for amendment to the original special exception. Any such amendment to the original special exception conditions shall meet all requirements and be processed as an original application.

**These details will be determined in the Special Exception Orders after petitions are heard.**

(13) Transfer of special exception. Notwithstanding any other provision in this section to the contrary, a special exception approval for a major mining operation shall be issued only in the name of the applicant and may be transferred only when the interest of the applicant in the lands that are the subject of the special exception are transferred. Prior to such transfer, the applicant and the prospective transferee must apply to, and receive approval from, the board of county commissioners for an amendment to the special exception application submitted to the county development department. All financial liability and permit filing obligations shall be transferred at the time the interest in said lands is conducted.

**These details will be determined in the Special Exception Orders after petitions are heard.**

(14) Liability for major mining operations. The applicant or operator of any major mining operation that receives special exception approval pursuant to the provisions of this section shall have absolute liability and financial responsibility for any damages to public or private property, human, animal or plant life, or any mineral or water-bearing geologic formations incurred due to mining operations, failure of any dam, spillway or outlet structure of a settling or thickening pond, or failure to properly reclaim mined lands. At or prior to the time of issuance or transfer of the excavation and fill permit for the applicable major mining operation, in order to protect the interests of the board of county commissioners and the public, the applicant shall post with the board the following bonds or other surety in a form approved by the board of county commissioners:

a. For each acre of land designated to be mined, the amount of \$2,000.00 as a reclamation performance bond; and

b. For each acre foot of storage to be contained in a slime, retention or thickening pond in and above grade, the amount of \$1,000.00. This bond shall remain in effect for as long as unconsolidated slime remains in the pond.

**The required bond set forth in a. will be required as part of the Special Exception Order. The bond in b. is not required for this project as proposed in the application.**

(15) Annual report and inspection. As a condition of approval of a special exception for a major mining operation, the applicant or operator of such major mining operation shall provide an annual report to the county development department for review by the county engineer documenting compliance with the special exception and excavation and fill permit requirements for the major mining operation. The county engineer shall make an onsite inspection to the major mining operation to assure compliance with the special exception, the excavation and fill permit and any report submitted by the applicant or operator.

**These details will be determined in the Special Exception Orders after petitions are heard.**

(16) Forfeiture. Upon a finding of noncompliance with this section, or any special exception condition for a major mining operation, or any approved site plan for the major mining operation or reclamation, the building official shall notify the applicant or operator of the major mining operation in writing of noncompliance and the pending forfeiture of the permit. The applicant or operator shall have 30 days to respond. If compliance is not accomplished within such 30-day period, the major mining operation shall cease and the special exception shall be revoked.

Regardless of revocation or compliance with any special exception condition, the applicant shall repair, perform reclamation, or perform any other activity at the major mining operation site that the building official or county engineer deems is necessary in the interest of the public health, safety or welfare.

**These details will be determined in the Special Exception Orders after petitions are heard.**

a. Appeal. Any appeal of a noncompliance finding issued in accordance with this subsection shall be submitted to the county development department and the office of the board of county commissioners within 15 days of the date of such noncompliance finding. Such appeal shall be heard by the board of county commissioners at a noticed public hearing. No appeal filed later than 15 days after the date of such notice shall be acted upon by the board of county commissioners.

**This will be incorporated into the Special Exception Orders if approved.**

### **Staff Recommendations:**

Should the Planning Commission, and subsequently, the Board of County Commissioners upon review and recommendation of the Planning Commission, find the requested “Special Exception Use” consistent with the Comprehensive Land Use Plan and Land Development Code, staff recommends the following conditions be attached to the approval of the Special Exception Use Permit:

#### **Conditions of Approval for SE 23-01 3RT Sand Mine**

1. The applicant shall shield lighting so as not to be a nuisance to residential neighbors.
2. All applicable permits from the various state agencies be filed for and obtained before mining can commence. The state permits may need to be revised with the new ingress/egress route.
3. All development provisions in the Levy County Land Development Code will be met before pre-development begins.
4. The applicant will get the proper ingress/egress permits from the Levy County Road Department for all allowed access points.
5. The applicant shall pay all applicable impact fees associated with this use prior to commencing operation.
6. Buffer description and details will need to be incorporated on the construction plans.
7. Other conditions as assigned by the Planning Commission and the Board of County Commissioners based on public participation.

**To include: DNM cover letter and Levy County Engineer staff review.**



P.O. Box 42  
Ocala, Florida 34478  
Office: 352.624.2068  
Fax: 352.622.6643

[dnmengineering@embarqmail.com](mailto:dnmengineering@embarqmail.com)

May 24, 2023

Levy County Planning & Zoning  
320 Mongo Street  
Bronson, Florida 32621

**Re: 3RT Sand Mine  
Special Exception Application  
Levy County Parcel I.D. Nos.: 0359701600, 0359700400, 0359700000, & 0359700300  
Section 35, Township 12 South, Range 17 East  
11151 Northeast 35<sup>th</sup> Street  
Bronson, Levy County, Florida**

Dear Planning & Zoning,

Please find enclosed for review the Special Exception and Excavation & Fill Permit Applications for the above described properties located in Bronson, Levy County, Florida to be utilized for major mining, excavation and fill activity or operations where more than 10,000 cubic yards of earth (sand & clayey sands) will be excavated or removed from or deposited on a tract or parcel greater than 20 acres. Major Mining, Excavation and Fill Activity Operations is currently listed as a Special Exception Use within Land Use/Zoning District A/RR.

The current Land Use and Zoning of the subject properties are A/RR (Agriculture/Rural Residential) and have historically been utilized for farming and crops. Ryan B. Thomas, property owner, is proposing to permit the subject property as the 3RT Sand Mine to be able to excavate the sand from the subject property to be sold to independent contractors to be utilized for fill material for construction of new road/highway construction, road/highway improvements, single family residences, residential developments, commercial developments, industrial developments, concrete foundation, concrete production, horse track developments, equestrian facilities, etc. throughout Levy and other neighboring counties. The proposed number of daily one way trips from the subject properties is 75+/- with approximately 1,400+/- cubic yards of sand material to be excavated per day.

The subject properties are currently surrounded by an Agricultural Experiment Station (Rosemary Hill Observatory) on 78.81 +/- acres of land to the North/West of the subject properties and Zoned A/RR; a 50.0+/- acre parcel of land with a single family residence located to the Northwest of the subject properties and Zoned A/RR; eleven (11) 10+/- acre parcels of primarily vacant parcels land currently

Zoned RR with two of the parcels occupied by a single family mobile home residence to the North of the subject properties; ten (10) 5.0+/- or 10.0+/- acre of primarily vacant parcels of land currently zoned RR with on three of the parcels occupied by single family mobile home residences and one parcel occupied by a single family residence to the Northeast/East of the subject property; five (5) large tract parcels of land currently Zoned A/RR and utilized for Agriculture Farming/Crop land to the Southeast/South/Southwest of the subject properties; and four (4) 20.0+/- acre parcels of primarily vacant parcels of land currently Zoned RR with one parcel occupied by a single family mobile home residence to the West/Northwest of the subject properties.

The main Ingress/Egress to the subject properties will be provided by an improved driveway connection located at the intersection of County Road 337 and N.E. 42<sup>nd</sup> Street with the travel route traversing along existing dirt roads through properties currently owned by either Lee A. Thomas and Ryan Thomas. County Road 337 currently has the capacity and is structurally stable to handle the increased traffic from the proposed project. However, two (2) additional alternate routes may be utilized if determined feasible by the Board of County Commissioners with one route utilizing an existing improved private road owned by Ryan B. Thomas and accessing Northeast 30<sup>th</sup> Street (public road) located to the South of the subject properties and the other route utilizing a 30 feet easement located at the Northeast corner of the property and traversing approximately 1.2+/- miles north to U.S. Highway 27. The proposed hours of operation of the sand mine will be between the hours of 7:00 am to 6:00 pm Monday thru Saturday. All excavation on the subject property will be removed mechanically with no blasting proposed.

The major mining, excavation and fill activity or operations proposed for the subject property will be compatible with the adjoining properties by complying with all requirements and standards for approval set forth in Chapter 50, Article XIII, Division 5, and Subdivision I and Subdivision II, Levy County Code and the location, proposed ingress/egress, and design of the proposed 3RT Sand Mine will meet the following minimum and specific criteria, standards, conditions, and requirements for special exceptions for major mining operations as listed in Section 50-719, Subdivision II (c) & (d):

**(c) Minimum Criteria, Standards, and Conditions:**

- 1) The proposed mining operation does comply with all required regulations and standards of this chapter, as applicable, including provisions of Division 5, Article XIII and this section specifically, and all other regulations;
- 2) The proposed mining operation will be serviced by County Road (CR) 337 which has been determined by a traffic study and traffic impact analysis to have adequate capacity to



accommodate the increased traffic volume and load impacts and will not adversely impact any surrounding uses;

- 3) The proposed mining operation will incorporate a 100 foot setback along the entire perimeter of the subject properties where 50 feet of the 100 foot setback will be improved with a vegetative buffer and an 8 feet high earthen berm to provide the required screening and buffering from uses and structures of adjacent and nearby properties;
- 4) The proposed mining operation is consistent with the Comprehensive Plan as this type of operation is currently listed as a special exception use within the Land Use/Zoning District "A/RR;"
- 5) The proposed mining operation will not adversely impact springs, rivers, tributaries, or water quality as the proposed mining operation is located more than 5.3+/- miles from Blue Grotto Springs, 6+/- miles from Devils Den Prehistoric Springs, 7.5+/- miles from Blue Springs State Park, 25+/- miles from Fanning Springs, 23+/- miles from Manatee Springs, and 20+/- miles from the Suwannee River. In addition, the proposed mining operation is located more than 100 feet from any private water wells and more than 1000 feet from any public supply wells;
- 6) The proposed mining operation will not result in such noise, odor, dust, vibration,, off-site glare, substantial traffic or degradation of road infrastructure that will adversely impact surrounding development or cause hazardous traffic conditions due to the proposed screening/buffering to be provided around the entire perimeter of the mining operation to protect rural residential lots located to the North/Northeast/East/West of the subject properties, the existing agricultural lands/operations to the Southeast/South of the subject properties, and the Rosemary Hill Observatory to the North/West of the subject properties;
- 7) The proposed mining operation will not adversely impact recreational enjoyment of State, Federal, of County Parks by the public as the subject property is not located near any State and Federal Lands accessible to the Public and more than 4+/- miles from County Parks accessible by the public;
- 8) The proposed mining operation will not cause an adverse environmental impact to any dumpsites, landfills, effluent ponds, or public supply wellheads as there are currently no dumpsites, landfills, effluent ponds, or public supply wellheads located within 1000 feet radius of the subject property;

- 9) The proposed mining operation is not located in a prohibited areas and meets all requirements regarding buffering, access, application, impact assessment, documentation, setback slope, reclamation requirements, and any other requirements, all as contained in the section;
- 10) The proposed mining operation has obtained an Environmental Resource Permit from the Southwest Florida Water Management District (SWFWMD) (ERP Permit No.: 43046299.000 issued 12/22/2022) and has submitted the required “Notice of Intent to Mine or Mining Other Resources” to the Florida Department of Environmental Protection (FDEP) on 4/11/2023 and are currently awaiting for FDEP to request any additional information or final approval;
- 11) The proposed mining operation will not be detrimental to the area residents or businesses, or public health, safety, welfare of the community as a whole due to the subject property’s location, proposed screening/buffering being provided from neighboring properties, and traffic impact and load impact being similar in nature to the subject property’s existing agricultural operations;

**(d) Specific Criteria, Standards, Conditions and Requirements for Special Exceptions for Major Mining Operations:**

1) Prohibited Areas For Major Mining Operations

- a) The proposed mining operation is located more than 500 feet from any abandoned dumpsites, landfills, or effluent ponds as identified by the FDEP. The proposed mining operation will not be performing any blasting as part of the operation;
- b) The proposed mining operation is located more than 1000 feet from any public water wellheads of 100,000 GPD or greater (5+/- miles from the Town of Bronson Water Treatment Facility);
- c) The proposed mining operation is located more than 1 mile from any public water supply wellhead of 100,000 GPD or greater, however, no blasting is proposed to be performed as part of the mining operation;
- d) The proposed mining operation is located 23+/- miles from Manatee Springs and 24+/- miles from the Fanning Springs State Park Boundaries;
- e) The proposed mining operation is located 20+/- miles of known streams, conduits, lineaments, fractures, or matrix flow paths with the potential to impact Manatee Springs or Fanning Springs, more than 100 feet from any private supply

wells, and more than 1000 feet from any public supply wells which may directly or indirectly result in the occurrence of one or more of the following:

- i) The deterioration of water quality of adjacent private or public supply wells, or reduction of their water level.
  - ii) The deterioration of water quality of flow of Manatee Springs or Fanning Springs.
- f) The proposed mining operation is located more than one-quarter mile (1,320+/- feet) from any schools, hospitals, county, state, or federal parks;
- g) The proposed mining operation is located more than one-quarter mile (1,320+/- feet) from a platted and recorded subdivision with lot sizes of five acres or less that include constructed streets and developed parcels. The subject property is located approximately 2,640+/- feet from the Black Jack Ridge Estates Subdivision to the Northwest of the subject property and approximately 1,338+/- feet to the Sunny Highlands Subdivision located to the North/Northwest of the subject property. The distance can be reduced to 660 feet to the platted subdivisions since buffering is provided and if approved by the Levy County BOCC;

2) Buffering Standards:

- a) Length: The proposed mining operation will incorporate a buffer along the entire perimeter of the subject property (18,500+/- linear feet) as to shield mining activity from incompatible land uses.
- b) Depth: The proposed mining operation will provide a minimum of 100 feet depth buffer setback measured perpendicularly from the subject property's property boundary;
- c) Opacity: The proposed mining operation will provide a vegetative buffer consisting of three (3) rows of native sand pine trees spaced six (6) feet apart and staggered rows spaced eight (8) feet apart. In addition, it is proposed to utilize overburden material and excavated sand to create an 8+/- feet high earthen berm with 1:1 side slopes to provide the required 80% opacity standard;



d) Makeup: The proposed buffer will consist of a vegetated screen augmented by a berm to obtain opacity.


- i) with the proposed earthen berm, the outer 50 feet of the buffer will consist of a vegetated buffer.
- ii) Existing trees, which is minimal, located within the vegetative screen will remain in place.
- iii) Since sufficient vegetation does not exist, the proposed vegetative screen will be planted with sand pine trees native to the area and compatible with the area soils.

e) Berms:

- i) The proposed earthen berm will run parallel to, and no closer than 50 feet from the property line.
- ii) The proposed earthen berm will be constructed to a height of 8 feet above natural surface of the ground to shield mining activity from the property lines so that it cannot be viewed through the buffer from adjoining properties when viewed from the property line. The proposed earthen berm will undulate along the perimeter of the subject property while still providing the shielding from view of the adjoining properties from the property line.
- iii) The proposed earthen berm will be stabilized with the planting of a vegetation cover and slopes will not exceed 1:1 vertical to horizontal.

### 3) Access Requirements:

- a) & b) The proposed mining operation is located within an area that has direct ingress/egress access to a major collector road (CR 337) to the west of the subject properties. However, two alternate routes accessing N.E. 30<sup>th</sup> Street to the South and a 30 feet easement accessing U.S. Highway 27 to the North could be utilized as ingress/egress routes if approved by the Planning Commission and Levy County BOCC.
- c) The proposed access and truck routes to and from the site do not traverse through platted recorded and unrecorded residential subdivisions.

- 
- d) Hauling Requirements: The traffic study prepared by Kittelson & Associates and Pavement Analysis prepared by Geo-Tech, Inc. supports that the proposed mining operation will not damage public nor private property due to the hauling of material and that hazardous traffic conditions will not be created since the special exception use is similar in nature to the existing agricultural operation. Hauling trucks utilizing public roads will be covered in a manner to prevent spillage and consistent with the Florida Department of Highway Safety and Motor Vehicles Standards and all hauling vehicles shall display the hauling company (or truck owner's name if privately owned) on the sides of the vehicle;

4) Setback Requirements:

- a) The proposed mining operation is located more than 100 feet from any road right-of-way boundary;
- b) The proposed mining operation excavation activities will occur at least 100 feet from any adjoining undeveloped lot or parcel and from any residentially developed lot or parcel boundary.

5) Slope Requirements:

The proposed mining operation of dormant sand and clay will provide a side slope not steeper than one foot rise for each three feet horizontal measurement (3:1 slopes).

6) Reclamation Plan:

The owner of the proposed mining operation has submitted the required "Notice of Intent to Mine or Mining Other Resources" application to the FDEP on 4/11/2023 and are currently awaiting the FDEP to request any additional information or issue an approval.

7) Mining Impact Assessment Report:

- a) Compatibility: The proposed mining operation will not perform any blasting to remove sand/clay materials.
- b) Transportation System:

The traffic study prepared by Kittelson & Associates and Pavement Analysis prepared by Geo-Tech, Inc. supports that the proposed mining operation will not damage public nor private property due to the hauling of material and that hazardous traffic conditions will not be created since the special exception use is

similar in nature to the existing agricultural operation. Hauling trucks utilizing public roads will be covered in a manner to prevent spillage and consistent with the Florida Department of Highway Safety and Motor Vehicles Standards and all hauling vehicles shall display the hauling company (or truck owner's name if privately owned) on the sides of the vehicle;

c) Water Pumping Activities:

The proposed mining operation will not be utilizing any water pumping activities at this time.

d) Fill Activities:

The proposed mining operation will only utilize clean fill material to reclaim the subject properties back to the original agricultural use and existing grade.

If you have any questions or require any additional information, please feel free to contact our office.

Sincerely,

*Douglas VanDeursen*

Douglas A. VanDeursen, P.E.  
President



LEVY COUNTY BOARD OF COUNTY COMMISSIONERS  
Government Serving Citizens

COMMISSIONERS  
John Meeks, Vice Chair  
Rock Meeks, Chair  
Desiree Mills  
Tim Hodge  
Matt Brooks

OFFICE OF COUNTY ENGINEER  
D. ANDREW CARSWELL, PE, PSM

REVIEW 3RT SAND MINE:

Section 50-719 Mining and Excavation...

- I. A special exception approval is required.
  - a. Proposed activity is classified as Major Mining as it proposes to remove more than 10,000 cy of material from a parcel greater than 20 acres.  
Requires compliance with 50-719 and applicable section of Chapter 50, Division 5, Article XIII [sic ]prior to commencement of operations.  
Requires a Excavation and fill permit prior to operations.
  - b. This site is not an vested or approved existing mining operation
  - c. Exemptions. Proposed activity does not appear to meet the criteria for any of the listed exemptions.
- II. Special Exception for major mining criteria, standards and conditions:
  - a. Special Exception approval required by being a mining or excavation activity
  - b. The proposed project does not appear to meet the exemption requirements
  - c. Minimum criteria
    1. Must meet requirements of 50-719 and Division 5
    2. The access for the proposed activity is shown to be through "family" land from the mining area to County Road C-337. County Road C-337 is classified as "Major Collector-Rural" on the FDOT Functional Classification Map. The applicant has submitted a "Pavement Analysis" for C-337 which indicates the roadway has sufficient strength to accommodate the additional truck traffic based on 75 one-way trips and that the increase in traffic is minimal. The applicant also submitted a "Traffic Impact Statement, Roadway Capacity" which found that the roadway has adequate volume capacity to handle the additional traffic.

While the project traffic volume is low relative to the background traffic on C-337, the project truck traffic is a significant portion of the Equivalent 18K Axle Loads (ESAL). Using background traffic information from FDOT Open Data Hub Truck Volume TDA website, the proposed additional truck traffic represents approximately 50 to 60 percent of the total projected ESALs on C-337. This has the effect of decreasing the expected life of the roadway by 50 to 60 percent.

Based on the information submitted by the applicant, the roadway volume capacity would not be diminished below Level of Service C (the Comprehensive Plan required level of service).

Sight distances at the connection to C-337 were not addressed in the report. There is an existing driveway for the property at this location.

The proposed main route from the mine area to C-337 meanders around the edges of and through the interior of the applicant's "family" property. At parcel 036060020A, the route is adjacent to the north boundary of this parcel where the main building on the site is approximately 300 feet south of the route boundary. Parcel 0360500700 has a structure approximately 700 feet west of the route boundary. Parcel 0360600100 has a structure approximately 650 feet from the route. Parcels 0359200100 and 035900060A are north of the route where it comes out to C-337, however there does not appear to be any structures on these parcels. The route also appears to be located near a house described as the life estate of Janet Dean which is interior to the applicant's property. This house appears to be served an easement to C-337 which will be utilized by the mine traffic. With the exception of the Dean house, the other properties appear to be located sufficiently away from the route so as to not adversely impact them. If these areas are deemed an issue (noise, dust, vibration, etc.), then vegetative buffer or additional separation could be implemented.

It is noted that the application also has offered alternative routes from the mine to other existing roadways. The southern alternate proposes to route mine traffic through the applicant's property south to County Road LCR 103. The northern route proposed to route mine traffic through private ownership to US 27 Alt using an existing 30 foot easement.

The southern route will mentioned was not analyzed in the applicant's submittal. It would access a LCR 103, county road classified as "local". It is a paved road which would take traffic to C-337. The strength of the roadway is not known. This route provides a more direct route from the mine to public right-of-way. This route may be acceptable to County Engineer and Road Department, if provisions are made for the applicant to demonstrate acceptable strength of the roadway for the additional truck traffic and/or enters into an "agreement with the county to make necessary improvements" to sufficiently handle the roadway and to contribute to the maintenance of this roadway based on their proportionate fair share and that adequate connection is made at the connection to LCR 103.

The northern alternate proposes to route mine traffic through an existing 30-foot easement to US Highway 27A easterly of Levy County Road 102. While this route would avoid use of any county roadways, it has several downsides. The first downside is that it is only a 30 foot wide easement that traverses adjacent to a residential subdivision with 1 to 5 acre lots. At this width, there would not appear to be adequate room to develop a roadway for truck and provide any buffering to the residential areas. The second downside is the addition of trucks entering the highway at the intersection of US 27A and County Road 102. Accessory lanes would most likely need to be provided if FDOT would allow the connection. This route is not recommended by the County Engineer in its current setting.

3. A 100 foot buffer with a minimum 50 foot of vegetation is proposed around the perimeter of the mine area. This appears to be adequate for the proposed activity. Some areas of the haul route may need to provide buffering where adjacent to offsite properties.
4. The proposed project does not appear to be against any policies in the Comprehensive Plan. The use is compatible with the present zoning and future land



use. The project is not within environmentally sensitive lands. The project does not appear to breach any level of service requirements.

5. The proposed activity does not appear to impact any springs, rivers, tributaries or water quality. Refer to DNM's cover letter dated May 24, 2023, response to c.5 for distances to relevant features and offsite potable wells. The excavation is proposed to stay above the seasonal high water table as determined in borings conducted on the site as presented in the applicants Environmental Resource Permit application submitted and permitted by the SWFWMD under 43046299.000 dated December 22, 2022. The ERP permit indicates no environmental concerns, no flood plain impacts, and no offsite impacts. No blasting is proposed at this site. Further study by a professional geologist does not appear to be necessary.
6. A buffer around the mine area is proposed to control, noise, odor, dust, vibration, off-site glare. Refer to DNM's cover letter dated May 24, 2023, response to c.6. Due to the nature of the proposed activity, the proposed buffers appear to be adequate. Impacts to surrounding development and roadways is commented on in "ii" above.
7. The proposed activity does not appear to near any state, federal, or county park.
8. The proposed activity is not near any dumpsites, landfills, effluent ponds, public water supply wellhead.
9. The site is not located in any prohibited area set forth in (d)(1).
10. The applicant has obtained an Environmental Resource Permit from the SWFWMD and has submitted a notice of intent to mine to FDEP. Note that the application package for the notice of intent to mine does not appear to have been provided in the Special Exception package.
11. As discuss above the proposed activity appear to be sufficiently separated from residential and business areas to not be detrimental to the public health, safety or welfare.

d. Specific criteria

1. Prohibited areas

- a) Site not located within required distance of abandoned dumpsites, landfills, or effluent ponds as identified by FDEP.
- b) Site is not located within 1000 feet of a public water supply wellhead and no blasting is proposed.
- c) Site is not located within one mile of a public water supply wellhead.
- d) Site is not located within 2 miles of Manatee Springs or Fanning Springs State park.
- e) Site is not located within one mile corridor (one-half mile on either side) of known geological features with the potential to Impact Manatee Springs or Fanning Springs. Additional study is not recommended to be required.
- f) The site is not located within one-quarter mile of schools, hospitals, parks.
- g) The site is not located within one-quarter mile of a platted and recorded subdivision with lot sizes of 5 acres or less. There are unrecorded subdivision with 5 acre lots adjacent to the east boundary of the site. The applicant is proposing a 100 foot buffer with a minimum 50 vegetative area. A berm is also proposed in some areas to provide additional screening.

2. Buffering Standards

- a) Applicant is proposing a 100 foot buffer round the total mine area. This is shown on the plans and described in the DNM cover letter. Note that the plans do not specify or detail the makeup of the buffer.

- b) Applicant is proposing a 100 foot buffer. This is shown on the plans and described in the DNM cover letter. Note that the plans do not specify or detail the makeup of the buffer.
- c) The applicant in the DNM cover letter proposes a 50 feet area within the 100 foot buffer be in planted with 3 rows spaced at 8 feet of sand pines spaced at 6 feet with a stagger. Additionally the DNM cover letter describes a berm to provide additional screening to meet the 80% opacity requirement. Specifications nor detail of the buffer or berm appear to be provided in the plans.
- d) The proposed buffer described in the DNM cover letter appears to provide the required buffer described in the code, however this information does not appear to be provide in the plans.
- e) An 8-foot high earthen berm is described in DNM cover letter with slopes not exceeding 1V:1H. The plans appear to show the berm or provide details as to where or how to construct it. No indication of method of stabilizing the berm is provide in the letter or in the plans. Sufficient topography is not provided in the plans to determine if a berm would be detrimental to offsite properties by not allowing runoff to continue into the mine area.

### 3. Access Requirements.

- a) The proposed route to C-337 provides access to a road classified as "Major Collector-Rural". The southern alternate route to LCR 103 does not provide direct access to a road with a minimum classification of major collector or arterial road as it is classified as a "Local" road. The northern alternate route does provide access to US 27 classified as a "Principal Arterial" which exceeds the criteria.
- b) The proposed route to C-337 provides ingress and egress onto a paved county road. The alternate routes also provide access onto paved county or state roads. However the classification of LCR 103 for the southern alternate does not meet the requirement to be a minimum classification of major collector.
- c) The proposed access to C-337 is not through a platted recorded or unrecorded subdivision. The northern alternate route appears to go through unrecorded subdivisions and is adjacent to a recorded subdivision. The southern alternate does not appear to go through platted recorded or unrecorded subdivisions.
- d) The applicant provided traffic information to demonstrate that the proposed activity will not be detrimental to C-337. The proposed haul route to C-337 is within the "family" property of the applicant. The northern alternate route would require travel through private property. No assurances have been provided that the route would not damage the private property.

### 4. Setback Requirements

- a) The proposed activities are not within 100 feet of any road right-of-way boundary.
- b) A 100 foot buffer is proposed along the entire perimeter of the mine area, therefor the requirement to be 50 feet away from undeveloped lot and 100 feet from a developed lot is met.

### 5. Slope requirements. The proposed side slopes of the sand mine excavation are proposed a maximum of 1V:3H.

6. Reclamation plan. The DNM cover letter indicates that a notice of intent to mine was submitted to FDEP. The contents of this notice do not appear to have been submitted with the Special Exception application. No reclamation plan appears to be provide in the application other than grading the side slopes to no steeper than 1V:3H and a brief mention in the "fill activities" section of the Mining Impact Assessment Report which indicates that "clean fill may be used to reclaim the subject property bas to the original agricultural use an existing grade."
7. Mining Impact Assessment Report. The DNM cover letter provides responses to the required items.
- a) Compatibility. Blasting is not proposed. A 100 foot buffer is proposed to mitigate sound and vibration transmission to offsite area. The proposed activity is not expected to cause vibration beyond the proposed buffers. The equipment utilized for loading and the trucks area typically equipped with back-up alarms which may be heard beyond the proposed buffers when operated near the perimeter. The ERP report submitted indicates no issues with environmental resources. There does not appear to be any cultural or historical resources in the area of concern.
  - b) Transportation System. A traffic study was submitted by Kittelson & Associates and Pavement Analysis for C-337 by Geo-Tech, Inc. as discussed in Ilc2 above.
  - c) Water Pumping Activities. Water pumping activities do not appear to be proposed or required for the facility. It is noted that there are two existing wells within the proposed excavation area. It appears that a 100 foot buffer will be provided around these wells.
  - d) Fill Activities. The DNM cover letter indicates that they "will only utilize clean fill material to reclaim the subject property to the original agricultural use and existing grade." No fill activities are indicated in the plans. Any plans for filling should be provided for review and approval.
8. Documentation/Application. The applicant has provided the following documents:
- a) DNM cover letter to Levy County Planning & Zoning date May 24, 2023 which includes brief description of the project and provides narrative to the items required by Section 50-719 Subdivision II (c) and (d). This include section entitled "Mining Impact Assessment Report."
  - b) Environmental Resource Permit Application for 3RT Sand Mine dated March 2023 prepared by DNM Engineering & Associates, Inc.
  - c) Environmental Resource Permit Plans for 3RT Sand Mine dated 3/1/2023 by DNM Engineering & Associates, Inc.
  - d) SWFMWD ERP permit 43046299.000 issued 12/22/2022
  - e) Boundary survey by Rogers Engineering, LLC date 2/28/2023
  - f) Pavement Analysis dated 4/21/2023 prepared by Geo-Tech, Inc.
  - g) Traffic Impact Statement dated 4/17/2023 prepared by Kittleson & Associates
  - h) Ingress/Egress Map dated 5/ 4/2023 prepared by DNM Engineering & Associates, Inc.
  - i) Property Appraisers Aerial Overlay dated 2/28/2023 prepared by DNM Engineering & Associates, Inc.
  - j) Special Exception Application
  - k) Excavation and Fill Permit Application dated 5/19/2023 to Levy County Building Department.



9. Application Fee. Defer to Planning Department
  10. Excavation and Fill Permit has been submitted to the Development Department and reviewed by the County Engineer. Refer to Section III below.
  11. Public Notice Requirement. Public notice was performed by the Planning and Zoning Department in accordance with this requirement to those properties within 2 miles of the mine area.
  12. Duration of Approval. The projected life of the facility does not appear to be provided in the submitted information. The total volume of material proposed to be excavated does not appear to be provided in the submitted information.
  13. Transfer of Special Exception. To be included in Special Exception order.
  14. Liability for major mining operations. To be included in Special Exception order. A bond is required in the amount of \$2500 per acre as a reclamation performance bond. No storage for slime, retention or thickening pond is proposed therefore the requirement \$1000 bond in 14(b) is not required.
  15. Annual report and inspection. The requirement for an annual report and inspection should be included in the Special Exception order.
  16. Forfeiture. This should be included in the Special Exception order.
- e. Major mining operations in rural residential zoning district. This mining area of the project is located in A/RR zone. The major access route passes through an area zoned RR.

The criteria for II (c) and II (d) are discussed above.

1. The tract is larger than 10 acres.
2. No processing or grading of material is proposed for the project and specifically not in the RR zone.
3. The proposed activity is mining of sand and clayey sands. No mining is proposed in the RR zone.
4. The material is proposed to be excavated using mechanical means. No blasting is proposed.
5. The proposed final grades will have a perimeter slope of 1H:3V down to an elevation approximately 3 feet above the seasonal high water table across the remainder of the mined area.
6. The special exception DNM cover letter describes a berm within the perimeter buffer. The DNM cover letter does not appear to include the berm in the perimeter buffer. The berm, if utilized, may block surface runoff from entering the property from outside areas. A specific grading plan for the berm has not been provided. The berm would not be within the RR zone. Otherwise the project does not appear to have any impacts on the surrounding areas.
7. The proposed major access route passes through "family" lands from the mining area to County Road C-337. This is a paved road with a classification of "major collector-rural". This route passes through parcels zoned RR. The route does not pass through recorded or unrecorded residential areas and does not use local roads. The proposed alternate routes do not meet these requirements, but they do not pass through RR zoned areas. The north route would be adjacent to RR zoned platted subdivision.
8. The hours of operation should be stipulated in the Special Exception order and in the excavation and fill permit.
9. The excavation area is not within the RR zone. Signing as required should be implemented if deemed necessary by the Planning Commission or Board.

- 10. The applicant has provided geotechnical report which includes the required test drilling to establish the seasonal high water table within the mining area. The grading proposes to stay 3 feet above the estimated seasonal high water table.
- 11. Backfilling is not proposed other than clean material to help with reclamation activities after mining to return the land to agricultural use.

III. Excavation and Fill permit

- a. An Excavation and Fill permit is required since this is a major mining activity.
- b. Application Requirements.
  - 1. Boundary Survey was provided for the mine area. A boundary survey for the property containing the haul route was not provided.
  - 2. Site Plan was provided as Sheet SM2. The site plan provides the required information with the exception of distances of buildings to property lines and distances to existing offsite structures.
  - 3. A sheet with the proposed hauling route was provided.
  - 4. A description of the proposed work was provided in the DNM cover letter. The expected duration of the activity does not appear to have been provided.
  - 5. The proposed activity is not within an environmentally sensitive area. A copy of the SWFWMD ERP permit was provided.
  - 6. The project is not located within the 100-year flood plain of the Suwannee River.
  - 7. The project does not appear to be creating a pond. The proposed excavation depth is indicated to be 3 feet above the estimated seasonal high water table established in the geotechnical report provided in the ERP application.
  - 8. The project is not within an existing body of water.
  - 9. The project is not near any stormwater system currently maintained by a public or private entity.
  - 10. A berm is mentioned in the DNM cover letter within the 100 foot buffer. The berm is not shown or detailed in the plans provided. It is not apparent if such a berm would affect the natural flow or drainage patten of surface water into the site from offsite areas.
  - 11. Application Fee. Defer to the Development Department.
- c. Permit Review and approval process
  - 1. Hauling Requirements.
    - a) Does not appear to be applicable to a mine.
    - b) Does not appear to be applicable to a mine.
    - c) Does not appear to be applicable to a mine.
    - d) Include in the permit and Special Exception order.
  - 2. The maximum excavation depth is proposed to be 3 feet above the estimated seasonal high water table as established in the geotechnical report provided in the ERP application.
  - 3. No blasting is proposed.
  - 4. No excavation is proposed within 100 feet of the right-of-way of a public road, nor 50 feet of a property line or a private easement.
  - 5. The proposed side slopes of the excavation are indicated to be 1V:3H maximum
  - 6. This review serves as the County Engineers review of the Excavation and Fill permit application and the Special Exception permit application.
  - 7. The County Engineer finds that the 3RT Sand Mine is not expected to be detrimental to the health, safety or general welfare of the adjacent properties or the community and recommends approval of the application with the following stipulations:



- a) Any berm constructed along the perimeter be design and constructed to permit runoff from offsite areas which historically flowed into the mine property to continue to do so.
  - b) Buffers as described in the DNM cover letter are implemented around the perimeter of the mining area. The berm shall only be required where necessary to screen the site from adjacent residential homes.
  - c) Should offsite areas adjacent to the proposed haul route be adversely affected, the haul route shall be adjusted to eliminate the adverse condition within a reasonable period of time.
  - d) Should any groundwater become apparent in the excavation area, the area will be backfilled to a level 3 feet above the water level.
  - e) Existing wells within the mine area will either be properly abandoned or a minimum 100 foot radius buffer will be maintained around the well.
  - f) Once final grades are reached by the excavation, the area will be reclaimed by restoring vegetation to the area within 3 months.
  - g) A berm, excavation or other method shall be implemented where runoff from the excavation area may leave the site.
  - h) Areas within the proposed mine area, which are not currently being mined shall remain either as pasture or cropped in accordance with established Best Management Practices.
8. Include language in the permit.
  9. The SWFWMD permit has been obtained and provided. Acknowledgement and approval of the FDEP notice of intent to mine shall be provided prior to issuance of permit.
- d. Operation of permit
1. Posting permit at site. Include language in permit.
  2. Duration. Duration of the permit needs to be established. A sunset provision needs to be provided in the special exception order and the excavation and fill permit.
  3. Inspections. Code language doesn't appear to anticipate an ongoing mine project. Any required inspections should be included in the Special Exception order and the Excavation and Fill permit.
  4. Forfeiture. Include language in permit.

The above information constitutes the County Engineer's review of the 3RT Sand Mine Special Exception and Excavation and Fill Permit Application.

D. Andrew Carswell, State of Florida, Professional Engineer, License No. 45831

This item has been electronically signed and sealed by D. Andrew Carswell, PE on the date indicated here using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

SIGNATURE DATE: 6/15/2023

Prepared by and return to:  
The Law Office of Douglas K. McKoy, P. A.  
302 North Main Street, Suite B, Trenton, FL 32693  
File Number: Q 21-06-02-B

### Quit Claim Deed

Made this 4th June, 2021 A.D., by Lee A. Thomas, Individually and as Sole Trustee under Agreement with Lee A. Thomas, UAD 10/01/2003, and Lee A. Thomas, as Sole Successor Trustee under Agreement with Beverly J. Thomas, UAD 10/01/2003, whose post office address is 4990 NE 195<sup>th</sup> Ct, Williston FL, 32693, hereinafter called the grantor, to Ryan B. Thomas, a single man, whose post office address is: 11151 NE 35<sup>th</sup> St, Bronson, FL, 32621, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth**, that the grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Levy County, Florida, viz:

See Exhibit "A"

*Said property is not the Homestead of the Grantor(s) as defined by the laws and constitution of the State of Florida in that neither Grantor(s) nor any member of their family resides thereon.*

*Title to the land herein conveyed was neither researched, guaranteed or insured by the preparing attorney at the request of the parties to the deed.*

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

**In Witness Whereof**, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence

Douglas K. McKoy  
Witness Signature

Douglas K. McKoy  
Witness Printed Name

Laurie A. Terry  
Witness Signature

Laurie A. Terry  
Witness Printed Name

Lee A. Thomas  
Lee A. Thomas, as Sole Trustee under Agreement with Lee A. Thomas, UAD 10/01/2003

Lee A. Thomas  
Lee A. Thomas, As Sole Successor Trustee under Agreement with Beverly J. Thomas, UAD 10/01/2003

Lee A. Thomas  
Lee A. Thomas, Individually

STATE OF FLORIDA  
COUNTY OF Gilchrist

The foregoing instrument was acknowledged before me by means of  physical presence or ( ) online notarization this 4th day of June, 2021, by Lee A Thomas, Individually and as Sole Trustee under Agreement with Lee A. Thomas, UAD 10/01/2003 and as & Successor Trustee under Agreement with Beverly J. Thomas, UAD 10/01/2003. Personally Known:  OR Produced Identification: \_\_\_ Type of Identification produced: \_\_\_\_\_.

Notary Seal:



DOUGLAS K MCKOY  
Commission # GG 223987  
Expires July 6, 2022  
Bonded Thru Budget Notary Services

Douglas K. McKoy  
Signature of Notary Public



EXHIBIT "A"

The North ½ of the Northwest ¼ of Section 2, Township 13 South, Range 17 East, Levy County Florida, Parcel ID# 0360400600

AND

The Southwest ¼ of the Southwest ¼ and the North ½ of the Southwest ¼ and the South ½ of the Northwest ¼ of Section 35, Township 12 South, Range 17 East, Levy County, Florida, LESS AND EXCEPT that property described in Official Records Book 20, Page 144, public records of Levy County, Florida.  
Parcel ID# 0359700000

And

The Southeast ¼ of the Southwest ¼ of Section 35, Township 12 South, Range 17 East, Levy County, Florida.  
Parcel ID# 0359700300

AND

The Southeast ¼ of Section 35, Township 12 South, Range 17 East, Levy County, Florida.  
Parcel ID# 0359700400

AND

The South ½ of the Northeast ¼ of Section 35, Township 12 South, Range 17 East, Levy County, Florida. TOGETHER WITH a non-exclusive easement for ingress and egress over and across the East 30 feet of the Northeast ¼ of the Northeast ¼ of said Section 35, and over the East 30 feet of that portion of Section 26, Township 12 South, Range 17 East, lying South of Highway 27-A, as more fully set forth in that certain easement agreement dated October 13, 1966 and recorded in Deed Book 101, Page 79, Public Records of Levy County, Florida.  
Parcel ID# 0359701600

AND

The Southeast ¼ of the Northwest ¼, all in Section 2, Township 13 South, Range 17 East, Levy County, Florida.  
Parcel ID# 036040000

AND

The Northeast ¼ of the Southwest ¼ all in Section 2, Township 13 South, Range 17 East, Levy County, Florida.  
Parcel ID# 0360400400

AND





## Exhibit "A" continued

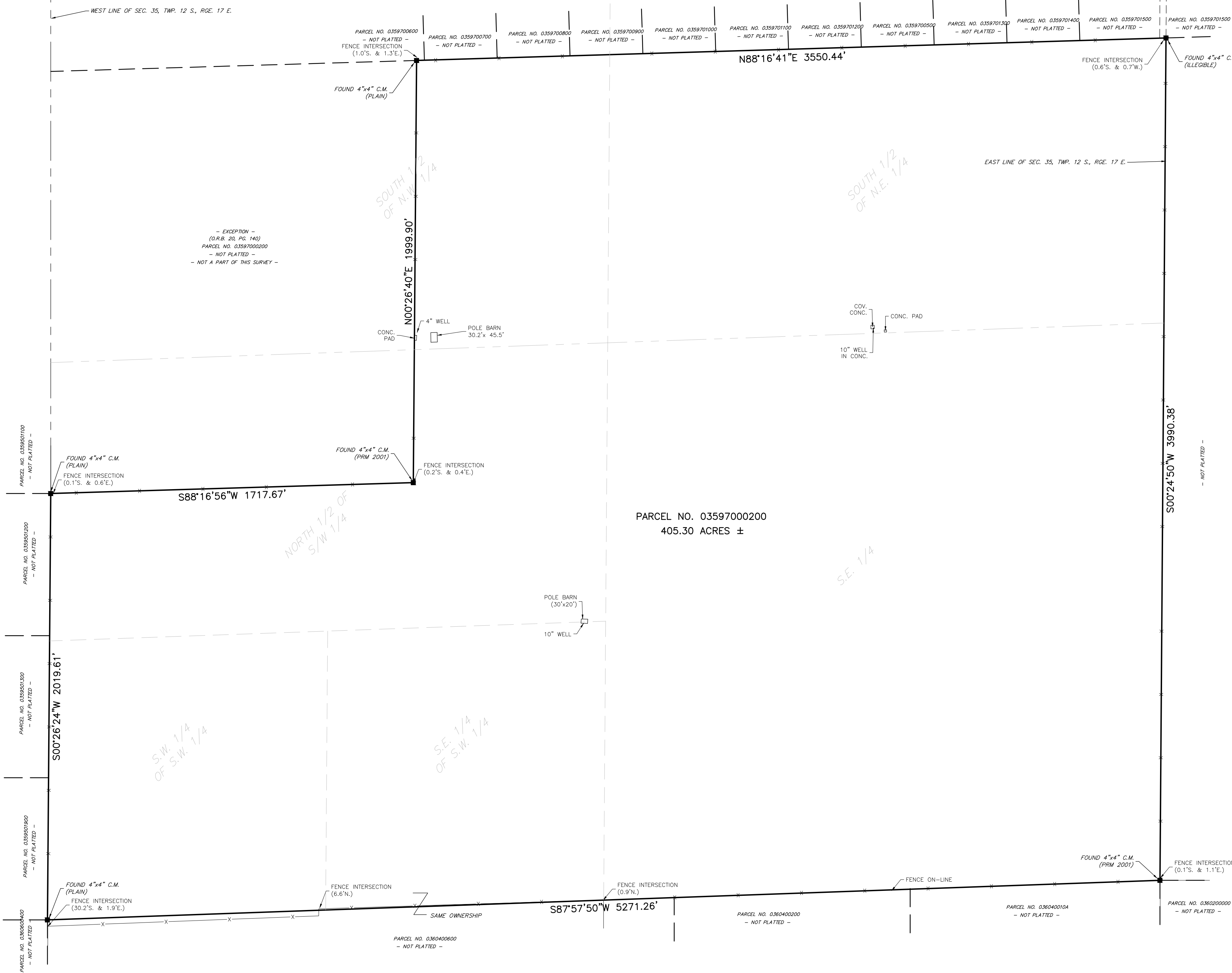
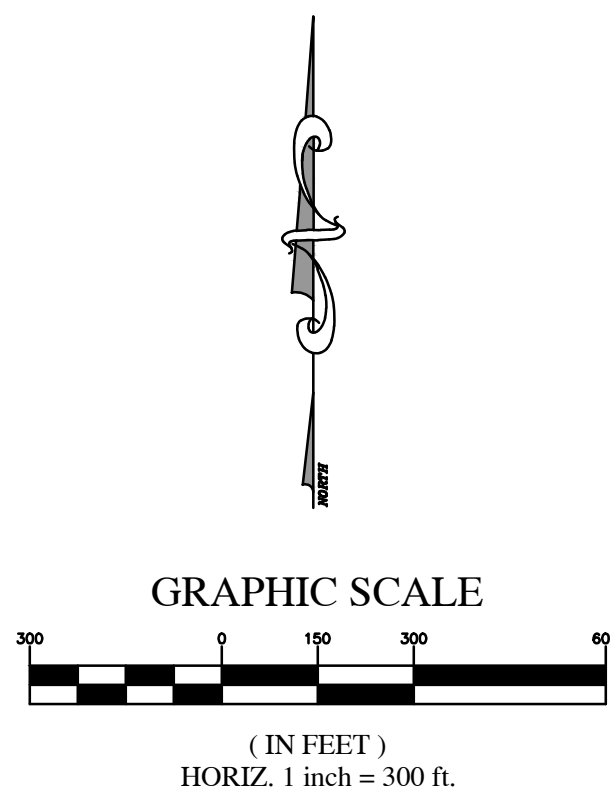
Part of Section 23, Township 12 South, Range 18 East, inside the Arredondo Grant, Levy County, Florida, more particularly described as follows; commence at the Northeast corner of said Section 23, thence S 00°12'57" East, along the East line of said Section 23, a distance of 1370.00 feet to the Point of Beginning (POB); thence continue S. 00°12'57" East, along the East line, 3148.20 feet to the Southeast Corner of said Section 23 as marked by a concrete monument I.D. #2548; thence S 89°38'54" West, along the South line of said Section 23, a distance of 2715.00 feet; thence N 00°12'57" West, a distance of 1365.15 feet; thence S 89°59'38" East, a distance of 330.00 feet; thence N 00°12'57" West, a distance of 1800.00 feet; thence S 89°59'38" East, a distance of 330.00 feet; thence N 00°12'57" West, a distance of 1320.00 feet to the South right-of-way (R/W) line of County Road 335; thence S 89°59'38" East, along the said R/W line, 490.00 feet ; thence S 00°12'57" East, a distance of 400.00 feet; thence S 89°59'38" East, a distance of 245.00 feet; thence S 00°12'57" East, a distance of 920.00 feet; thence S 89°59'38" East, a distance of 1320.00 feet to the POB.

TOGETHER WITH: an easement for ingress and egress over the East 30.00 feet of the South 1337 feet of the North 1370 feet of said Section 23.

Subject to any restrictions, easements, and/or adverses that pertain to this property.  
Parcel ID# 0412300200

AND

A parcel of land lying in Section 23, inside the Arredondo Grant, Township 12 South, Range 18 East, Levy County, Florida, being more particularly described as follows: Commence at a railroad spike at the Northeast corner of said Section 23, Inside the Arredondo Grant, and run N 89°59'38" West, along the North line of said Section 2055.00 feet; thence S 00°12'57" East, 50.00 feet to the South right-of-way line of N.E. 75<sup>th</sup> Street (aka County Road No. 355) and the Point of Beginning of the herein described parcel; thence North 89°59'38" West, along said South right-of-way line, 1320.00 feet; thence South 00°12'57" East, 4489.27 feet to the South line of said Section 23; thence North 89°38'54" East, along said South line, 660.00 feet; thence North 00°12'57" West, 1365.15 feet; thence South 89°59'38" East, 330.00 feet; thence North 00°12'57" West, 1800.00 feet; thence South 89°59'38" East, 330.00 feet; thence North 00°12'57" West, 1320.00 feet to the said Point of Beginning.  
Parcel ID# 0412300300



**LEGAL DESCRIPTION:**

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA.

LESS AND EXCEPT THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 20, PAGE 144, PUBLIC RECORDS OF LEVY COUNTY, FLORIDA. PARCEL ID# 0359700000

AND

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA. PARCEL ID# 0359700300

AND

THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA. PARCEL ID# 0359700400

AND

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EAST 30 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, AND OVER THE EAST 30 FEET OF THAT PORTION OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LYING SOUTH OF HIGHWAY 27-A, AS MORE FULLY SET FORTH IN THAT CERTAIN EASEMENT AGREEMENT DATED OCTOBER 13, 1966 AND RECORDED IN DEED BOOK 101, PAGE 79, PUBLIC RECORDS OF LEVY COUNTY, FLORIDA. PARCEL ID# 0359701600

**SURVEY REPORT:**

1. FIELD MEASURED BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NAD-83, AND DERIVED FROM THE L-NET NETWORK.
2. FIELD SURVEY DATE: 2-2-2023.
3. NO TITLE INFORMATION REFLECTING RIGHTS-OF-WAY, OR EASEMENTS OF RECORD, WAS FURNISHED TO THE SURVEYOR UNLESS SHOWN OR NOTED HEREON.
4. INTERIOR FENCES WERE NOT SHOWN FOR CLARITY.
5. UNDERGROUND IMPROVEMENTS OR UTILITIES, IF ANY, WERE NOT LOCATED.
6. THIS PROPERTY APPEARS TO BE IN A ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY NUMBER 120145, PANEL 0215, SUFFIX F, WITH AN EFFECTIVE DATE OF 11/2/2012.
7. THIS PROPERTY THIS SURVEY MEETS THE STANDARDS OF PRACTICE CONTAINED IN CHAPTER 5J-17.050 THROUGH .052, FLORIDA ADMINISTRATIVE CODE AND THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THE MINIMUM RELATIVE DISTANCE ACCURACY FOR RURAL LAND USE.
8. UNLESS IT BEARS THE DIGITAL SIGNATURE AND CERTIFICATION OR THE PHYSICAL SIGNATURE AND SEAL OF THE LICENSED SURVEYOR AND MAPPER, THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

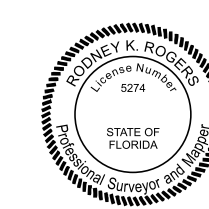
DATE	REVISION

Robert L. Rogers, PE  
rlrogers@rogerseng.com  
Rodney K. Rogers, PSM  
rkrogers@rogerseng.com  
Mekelle M. Boyette, PSM  
kboyette@rogerseng.com

**ROGERS ENGINEERING, LLC**  
Civil Engineering & Land Surveying

1105 S.E. 3rd Avenue • Ocala, Florida 34471 • Ph. (352) 622-9214 • Lic. Bus. #4074

A BOUNDARY SURVEY  
FOR  
3RT SAND MINE



RODNEY K. ROGERS DATE  
PROFESSIONAL SURVEYOR & MAPPER  
REGISTRATION NO. 5274  
STATE OF FLORIDA

JOB No. 22_MASTER
DATE 2-7-2023
SCALE 1" = 300'
SHEET 1 OF 1



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Main Ingress/Egress from/to N.E. 30<sup>th</sup> St.



Ingress/Egress Road



Point 1 on Site Plan looking East



Point 1 on Site Plan looking Southeast



Point 1 on Site Plan looking South



Point 1 on Site Plan looking Southwest



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 1 on Site Plan looking West



Point 1 on Site Plan looking Northwest



Point 1 on Site Plan looking North



Point 1 on Site Plan looking Northeast



Point 2 on Site Plan looking South



Point 2 on Site Plan looking Southwest



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 2 on Site Plan looking West



Point 2 on Site Plan looking Northwest



Point 2 on Site Plan looking North



Point 2 on Site Plan looking Northeast



Point 2 on Site Plan looking East



Point 2 on Site Plan looking Southeast



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 3 on Site Plan looking West



Point 3 on Site Plan looking Northwest



Point 3 on Site Plan looking North



Point 3 on Site Plan looking Northeast



Point 3 on Site Plan looking East



Point 3 on Site Plan looking Southeast



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 3 on Site Plan looking South



Point 3 on Site Plan looking Southwest



Point 4 on Site Plan looking North



Point 4 on Site Plan looking Northeast



Point 4 on Site Plan looking East



Point 4 on Site Plan looking Southeast



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 4 on Site Plan looking North



Point 4 on Site Plan looking Northeast



Point 4 on Site Plan looking East



Point 4 on Site Plan looking Southeast



Point 5 on Site Plan looking West



Point 5 on Site Plan looking Southwest





**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 5 on Site Plan looking North



Point 5 on Site Plan looking Northeast



Point 5 on Site Plan looking East



Point 5 on Site Plan looking Southeast



Point 5 on Site Plan looking South



Point 5 on Site Plan looking Southwest



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



Point 6 on Site Plan looking North



Point 6 on Site Plan looking Northeast



Point 6 on Site Plan looking East



Point 6 on Site Plan looking Southeast



Point 6 on Site Plan looking South



Point 6 on Site Plan looking Southwest



**3RT Sand Mine Property**  
**400.0+/- Acres**  
**Sec. 35, Twn. 123S, Range 17E.**  
**11151 N.E. 35<sup>th</sup> Street**  
**Bronson, Levy County, Florida**



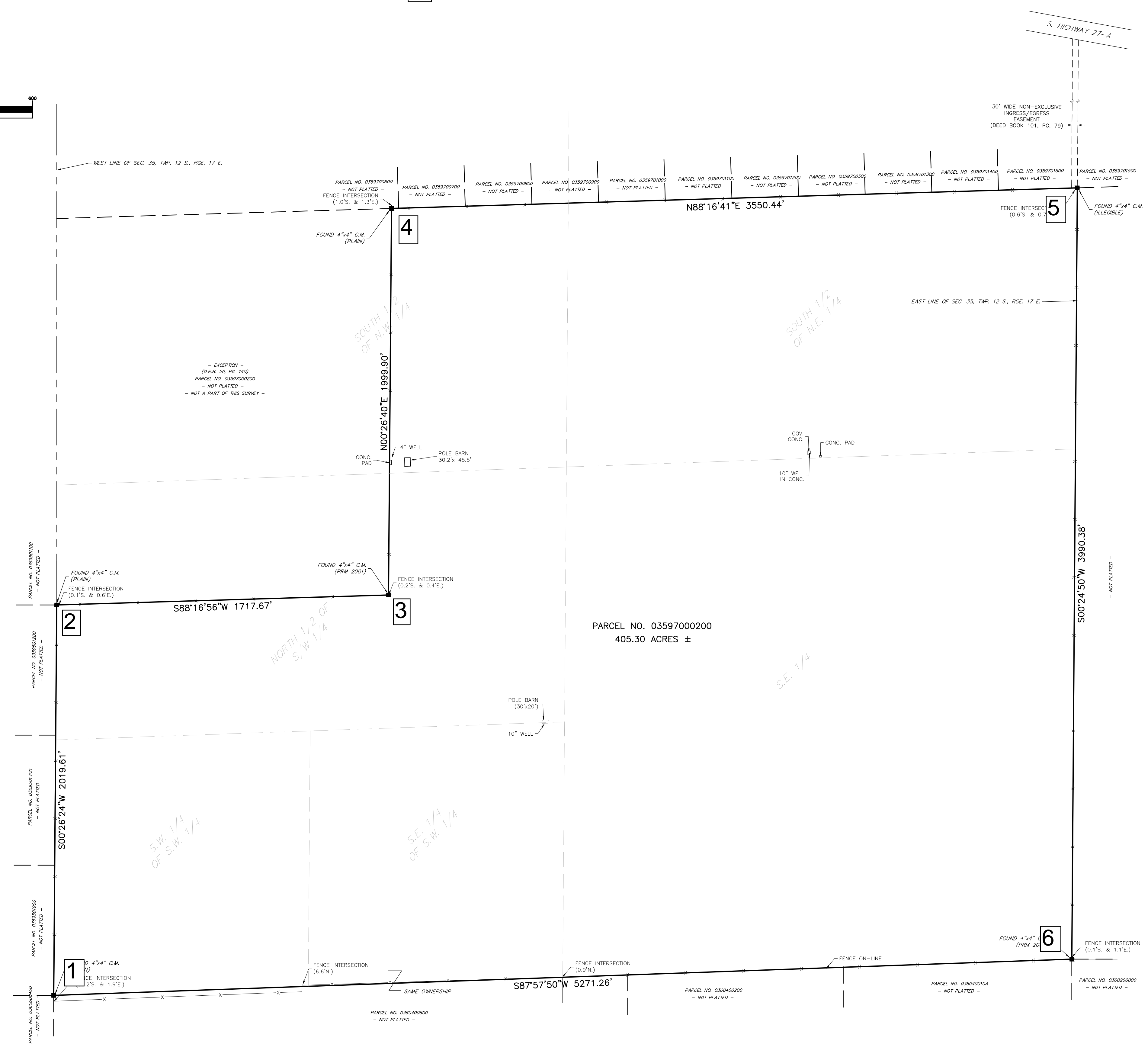
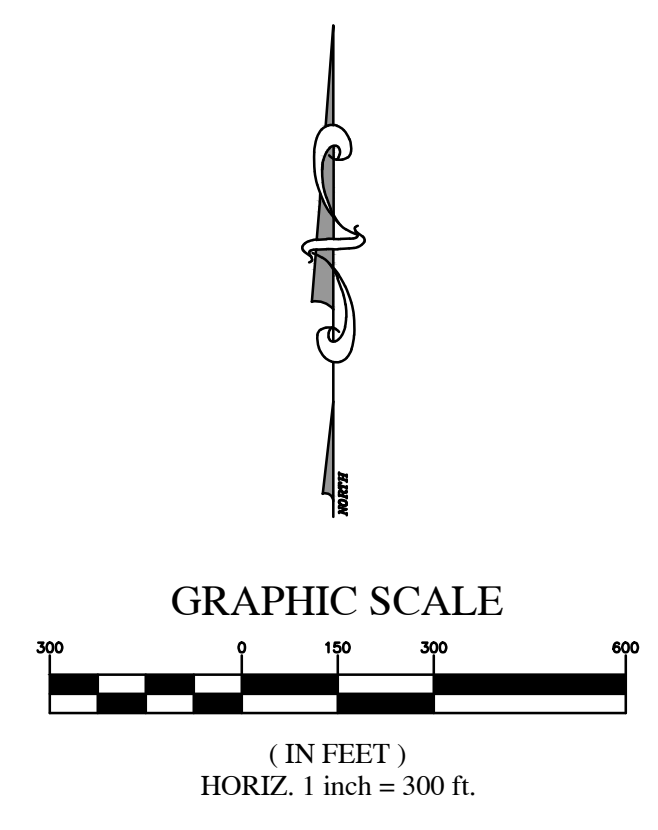
Point 6 on Site Plan looking West



Point 6 on Site Plan looking Northwest

# PHOTOGRAPH SITE PLAN

**X** PHOTOGRAPH LOCATION



**LEGAL DESCRIPTION:**

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA.

LESS AND EXCEPT THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 20, PAGE 144, PUBLIC RECORDS OF LEVY COUNTY, FLORIDA.

PARCEL ID# 0359700000

AND

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA. PARCEL ID# 0359700300

AND

THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA. PARCEL ID# 0359700400

AND

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LEVY COUNTY, FLORIDA.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE EAST 30 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, AND OVER THE EAST 30 FEET OF THAT PORTION OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 17 EAST, LYING SOUTH OF HIGHWAY 27-A, AS MORE FULLY SET FORTH IN THAT CERTAIN EASEMENT AGREEMENT DATED OCTOBER 13, 1966 AND RECORDED IN DEED BOOK 101, PAGE 79, PUBLIC RECORDS OF LEVY COUNTY, FLORIDA.

PARCEL ID# 0359701600

**SURVEY REPORT:**

1. FIELD MEASURED BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, NAD-83, AND DERIVED FROM THE L-NET NETWORK.
2. FIELD SURVEY DATE: 2-2-2023.
3. NO TITLE INFORMATION REFLECTING RIGHTS-OF-WAY, OR EASEMENTS OF RECORD, WAS FURNISHED TO THE SURVEYOR UNLESS SHOWN OR NOTED HEREON.
4. INTERIOR FENCES WERE NOT SHOWN FOR CLARITY.
5. UNDERGROUND IMPROVEMENTS OR UTILITIES, IF ANY, WERE NOT LOCATED.
6. THIS PROPERTY APPEARS TO BE IN A ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY NUMBER 120145, PANEL 0215, SUFFIX F, WITH AN EFFECTIVE DATE OF 11/2/2012.
7. THIS PROPERTY THIS SURVEY MEETS THE STANDARDS OF PRACTICE CONTAINED IN CHAPTER 5J-17.050 THROUGH .052, FLORIDA ADMINISTRATIVE CODE AND THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THE MINIMUM RELATIVE DISTANCE ACCURACY FOR RURAL LAND USE.
8. UNLESS IT BEARS THE DIGITAL SIGNATURE AND CERTIFICATION OR THE PHYSICAL SIGNATURE AND SEAL OF THE LICENSED SURVEYOR AND MAPPER, THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

DATE	REVISION

Robert L. Rogers, PE  
rlrogers@rogerseng.com  
Rodney K. Rogers, PSM  
rkrogers@rogerseng.com  
Mekelle M. Boyette, PSM  
kboyette@rogerseng.com

**ROGERS ENGINEERING, LLC**  
Civil Engineering & Land Surveying

1105 S.E. 3rd Avenue • Ocala, Florida 34471 • Ph. (352) 622-9214 • Lic. Bus. #4074

A BOUNDARY SURVEY  
FOR  
3RT SAND MINE

RODNEY K. ROGERS DATE  
PROFESSIONAL SURVEYOR & MAPPER  
REGISTRATION NO. 5274  
STATE OF FLORIDA

JOB No. 22_MASTER
DATE 2-7-2023
SCALE 1" = 300'
SHEET 1 OF 1



## MEMORANDUM

---

Date: April 17, 2023  
To: Ms. Stacey Hectus  
Planning and Zoning Director  
Levy County  
320 Mongo Street  
Bronson, FL 32621  
From: Kok Wan Mah, PE  
Project: 3RT Sand Mine  
Subject: Traffic Impact Statement, Roadway Capacity

---

Project #: 29057

### Introduction

The purpose of this memorandum is to provide a Traffic Impact Assessment as required by Levy County Code of Ordinances, Sec. 50-719 for the proposed 3RT Sand Mine, which requires a Traffic Impact Assessment to support a Special Exception and demonstrate adequate capacity on impacted roads. The proposed sand mine project location is approximately 1.3 miles east of CR 337 and 1 mile north of NE 30th Street in Levy County, Florida. Access to the site will be a restricted access driveway that will lead out to CR 337 via NE 42<sup>nd</sup> Street. The property includes parcel numbers are 0359701600, 0359700400, 0359700000, and 0359700300. The property is approximately 400 acres. A map showing the parcel boundary and parcel ownership is attached (**Figure 1**).

### Trip Generation Summary and Site Operations

The ITE Trip Generation Manual, 11<sup>th</sup> Edition does not include information for a sand mine or other similar use. Therefore, the trip generation for the proposed project is based on input from the Applicant with a description of the operations for the site.

As a natural resource extraction mine, the site is expected to generate a low volume of trips per day and is not open to the public. The mine is expected to have two to three employees on site and only one or two truck drivers that will make multiple trips to and from the facility along the hauling route. Additionally, the site may work with other contractors in the area to permit their trucks to haul fill from the site. Based on input from the property owner, this may include two or three additional trucks. Each truck has capacity to hold between 10 and 16 cubic yards of fill. Loading times vary, depending on whether the loading is done with an excavator or front loader, the type of loading being done, and distance between the fill and the truck. On a productive day, it is expected that the trucks can make a maximum of 12 to 14 loads per day but often there will be less. Using a conservatively high average of three trucks with 14 loads per truck, this would result in a maximum of 140 trip ends (14 loads \* 2 trips ends \* 5 trucks). Three on-site employees would generate a maximum of 12 trips per day, assuming arrival at the beginning of the workday, departing and arriving for the lunch hour, and then departing at



April 17, 2023

the end of the day (2 work trips \* 2 lunch trips \* 3 employees). This would result in a total of 152 trip ends per day and less than 10 trips during the peak-hour. It should be noted that the current land use on the property includes agricultural operations. Per the owner of the property, during harvesting seasons, the number of trucks entering and leaving the highway exceeds the number of truck trips that would be experienced as a sand mine.

**Roadway Capacity Evaluation**

Roadways within a 3-mile radius of the site were evaluated for existing and future capacities.

Segment ID	Segment	From	To	# Lanes	Classification	LOS Std.	Daily Capacity	2021 AADT	LOS	v/c
349131	CR 337	E Levy Street	Alt US 27	2	Arterial	C	6,020	2,400	B	0.40
349100	NE 60th Street	CR 337	Alt US 27	2	Collector	C	9,030	850	C	0.09
349111	CR 343	CR 326	CR 337	2	Arterial	C	6,020	250	B	0.04
340132	Alt US 27	CR 337	NE 60th Street	4	Arterial	C	34,000	9,200	C	0.27
Source: LOS Standard based on Levy County Comprehensive Plan, daily capacity from FDOT Generalized LOS tables										
AADT from FDOT Traffic Online										

As the table shows, there is adequate capacity on the area roadway segments. Even if all project traffic were routed on the same segment, none of the segments would be over capacity. The volume-to-capacity ratio for road segments in the area range from 0.09 to 0.40.

**Driveway Access Assessment**

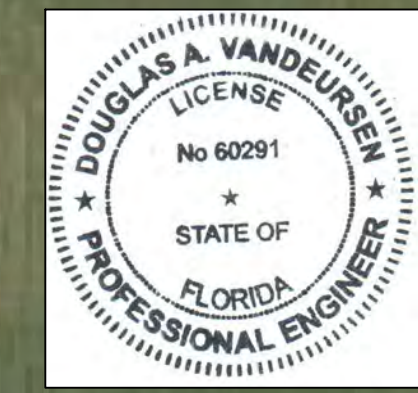
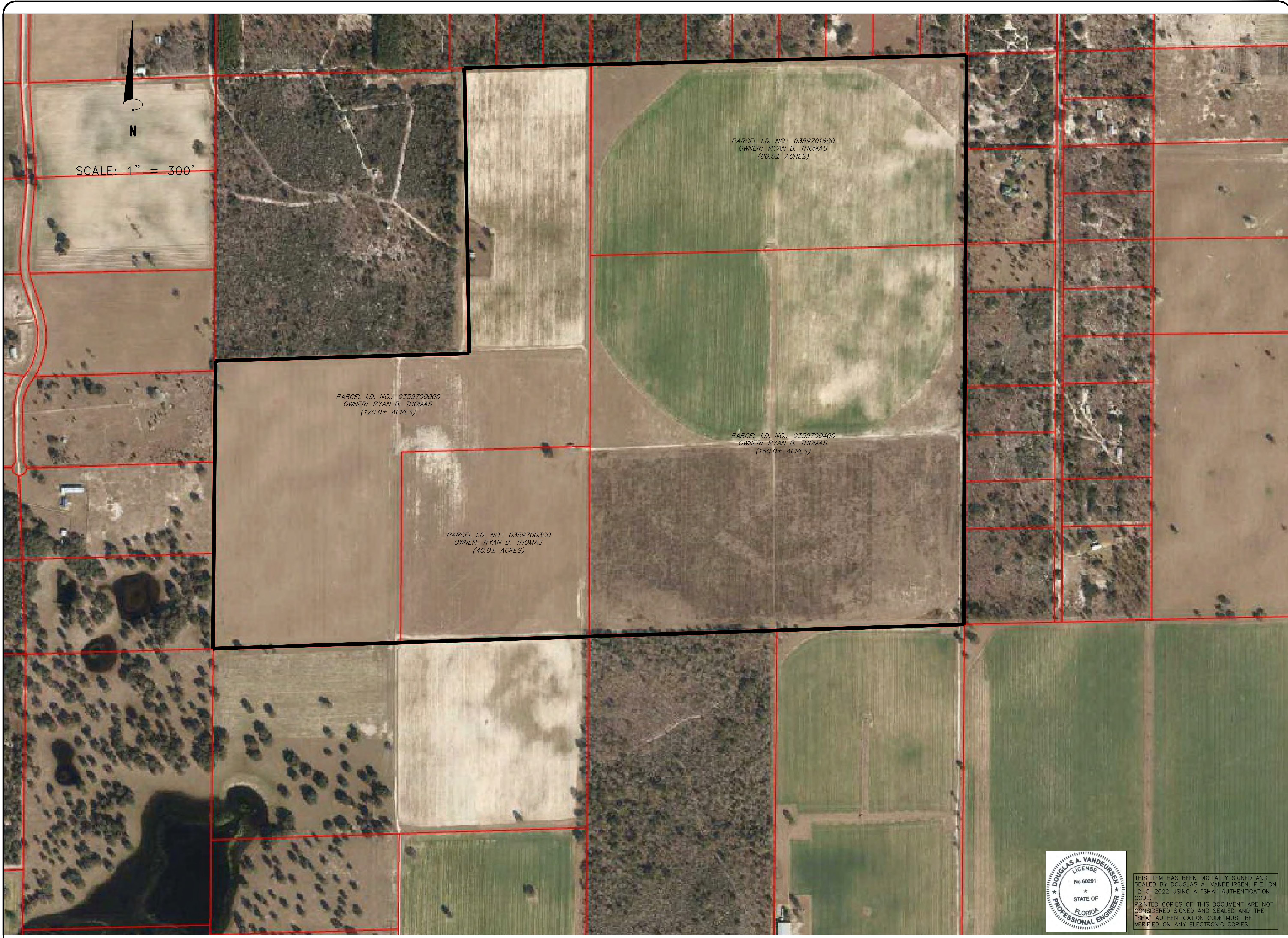
Access to the proposed property will be to CR 337 via NE 42<sup>nd</sup> Street. A map showing the general routing from the site to CR 337 is provided in **Figure 2**. The truck route shown will navigate through the site and properties owned by the Applicant or Applicant’s family to CR 337.

**Conclusion**

In conclusion, the proposed sand mine site is expected to be a low trip generator, producing approximately 152 trips per day and less than 10 trips during the peak-hour. The number of truck trips is expected to be less than the current agricultural operations on the site. This analysis is provided to support the Special Exception Application. We would appreciate the County’s consideration of this request.

Sincerely,

Kok Wan Mah, P.E.  
Associate Transportation Engineer  
Kittelson and Associates Inc.  
kmah@kittelson.com



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY DOUGLAS A. VANDEURSEN, P.E. ON 12-5-2022 USING A "SHA" AUTHENTICATION CODE.  
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE "SHA" AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

**DNM ENGINEERING & ASSOCIATES, INC.**  
 P.O. BOX 42  
 (352) 624-2068  
 Ocala, Florida 34478  
 FAX (352) 622-6643  
 CAN: 9724

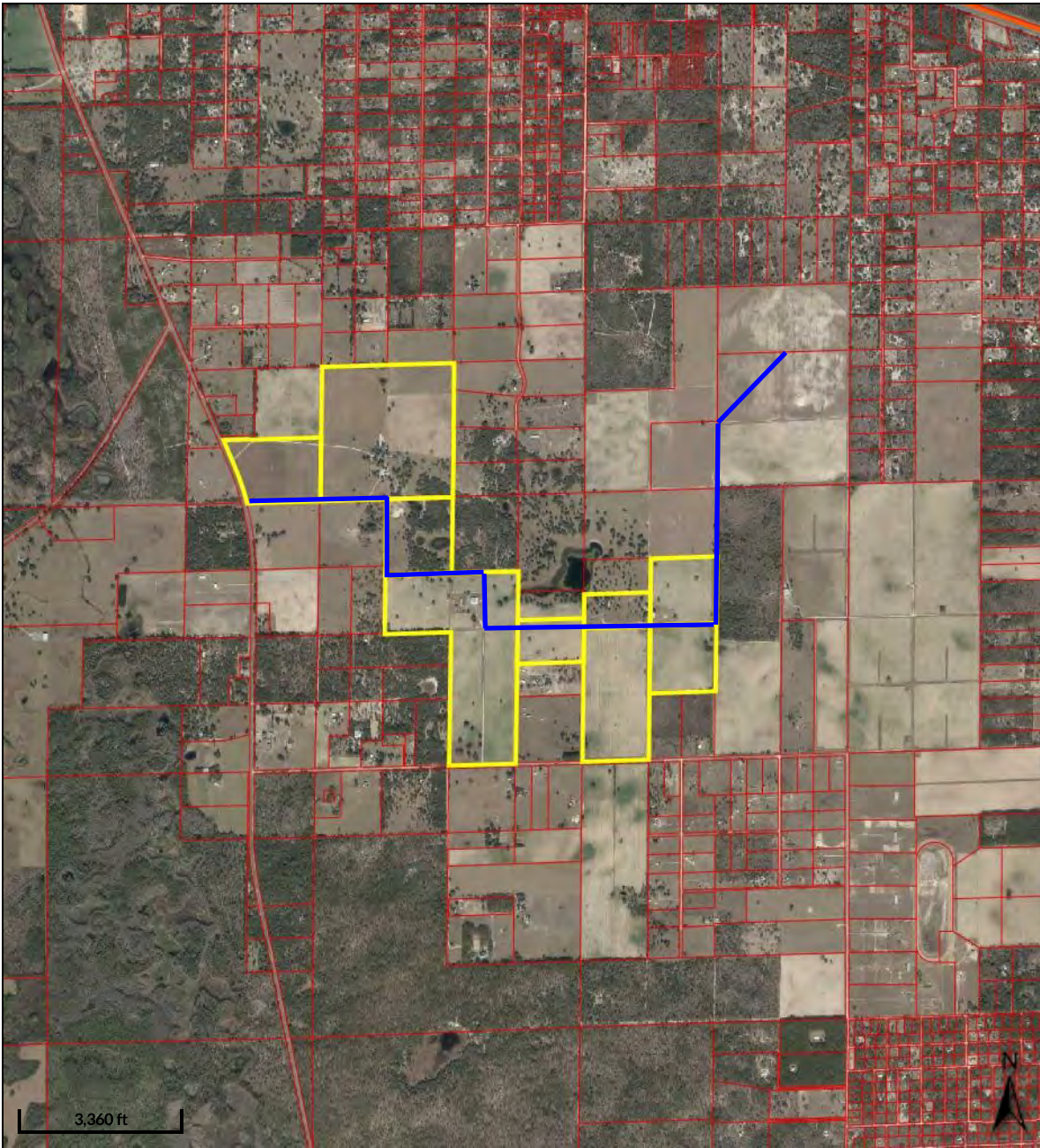
**PROPERTY OWNERSHIP MAP**  
 3RT SAND MINE  
 N.E. 110TH AVENUE  
 BRONSON, LEVY COUNTY, FLORIDA

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE

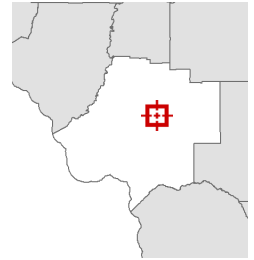
Project No. 22-084

**SM1**



Sheet 3 Of 8



Overview



Legend

-  Parcels
-  City Labels

Date created: 4/6/2023  
Last Data Uploaded: 4/5/2023 7:22:21 PM

Developed by  Schneider  
GEOSPATIAL



April 21, 2023  
Project No. 23-2162.19.1

Douglas A. VanDeursen, P.E.  
DNM Engineering & Associates, Inc.  
P.O. Box 42  
Ocala, Florida 34478

Reference: Existing County Road 337, Proposed 3RT Sand Pit, NE 110<sup>th</sup> Avenue  
Bronson, Levy County, Florida  
**Pavement Analysis**

Dear Mr. VanDeursen:

Geo-Technologies, Inc. (Geo-Tech) performed pavement analysis on a section of existing County Road 337 between County Road 326 and north of NE 30<sup>th</sup> Street per your request. Our analysis was performed in order to provide an opinion on roadway stability for an expected increase in traffic due to three (3) axle trucks accessing the proposed sand mine.

The original asphalt thickness is unknown for this section of roadway. However, Geo-Tech was provided the spread rate for each time the roadway was resurfaced to estimate the approximate asphalt thickness for use in our analysis.

Geo-Tech has determined an existing structural number of 3.67. This structural number is capable of withstanding 5,000,000 ESALs according to Table A.2A in the FDOT Flexible Pavement Design Manual.

Geo-Tech understands the proposed daily traffic will be approximately 75 one-way trips based on information provided by you. Geo-Tech utilized a Reliability (%R) of 80 and a Resilient Modulus ( $M_R$ ) of 12,000 for our calculations to determine that the total ESALs for the aforementioned traffic is approximately 550,000.

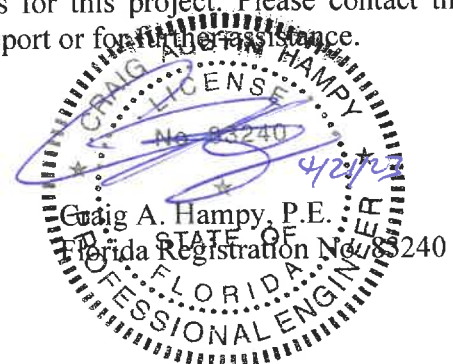
In Geo-Tech's opinion, an increase in ESALs due to the expected increase in traffic is minimal. Geo-Tech recommends additional roadway analysis be performed should traffic increase more significantly than expected. However, minimal increases would not be of concern.

Geo-Tech appreciates the opportunity to provide our services for this project. Please contact the undersigned with any questions regarding the contents of this report or for further assistance.

Sincerely,



Gerald W. Green, Jr.  
Soil & Water Scientist  
GWG/CAH



SCALE: 1" = 500'

27

TO U.S. 27  
NORTHEAST C.R. 17

NORTHWEST C.R. 137

TO LEVY ST. &  
C.R. 326  
NORTHEAST C.R. 337

NORTHEAST 30TH STREET

N.E. 42ND ST.

N.E. 40TH ST.

PROPERTY OWNER:  
TAYLOR PERERA

PROPERTY OWNER:  
TERRY JOSEBY

PROPERTY OWNER:  
LEE THOMAS

PROPERTY OWNER:  
WARE REVOCABLE TRUST

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
TED & NEED PRUDIE

PROPERTY OWNER:  
LEE THOMAS

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RYAN THOMAS

PROPERTY OWNER:  
RYAN THOMAS

PROPERTY OWNER:  
LOUIS & ANNIE WALKER

PROPERTY OWNER:  
SAM A. BARRETT  
DER. L. PEMBERTON

PROPERTY OWNER:  
LEE THOMAS

PROPOSED  
3RT SAND MINE  
PROPERTY  
(400+ ACRES)  
PROPERTY OWNER:  
RYAN THOMAS

--- MAIN INGRESS/EGRESS ROUTE  
--- ALTERNATE INGRESS/EGRESS ROUTE  
--- ALTERNATE INGRESS/EGRESS ROUTE

INGRESS / EGRESS MAP

3RT SAND MINE  
N.E. 110TH AVENUE  
BRONSON, LEVY COUNTY, FLORIDA

DNM ENGINEERING &  
ASSOCIATES, INC.

P.O. BOX 42  
(352) 624-2068  
OCALA, FLORIDA 34478  
FAX (352) 622-6643  
CAN: 9724

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	15 MAY 23	ORIGINAL ISSUE

Project No. 22-084

**I / E**

Sheet 1 Of 1





# Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)  
On the Internet at: WaterMatters.org

An Equal  
Opportunity  
Employer

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)

**Sarasota Service Office**  
78 Sarasota Center Boulevard  
Sarasota, Florida 34240-9770  
(941) 377-3722 or  
1-800-320-3503 (FL only)

**Tampa Service Office**  
7601 Highway 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)

December 22, 2022

Ryan Thomas  
11151 NE 35th St  
Bronson, FL 32621

Subject: **Notice of Intended Agency Action - Approval  
ERP Individual Construction**  
Project Name: 3RT Sand Mine  
App ID/Permit No: 857006 / 43046299.000  
County: Levy  
Sec/Twp/Rge: S36/T12S/R17E, S02/T13S/R17E, S35/T12S/R17E

Dear Permittee(s):

The Southwest Florida Water Management District (District) has completed its review of the application for Environmental Resource Permit. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at <http://www18.swfwmd.state.fl.us/erp/erp/search/ERPSearch.aspx> and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

David Kramer, P.E.  
Bureau Chief  
Environmental Resource Permit Bureau  
Regulation Division

cc: Orlando Rivera  
Douglas VanDeursen P.E., DNM Engineering & Assoc., Inc.



An Equal  
Opportunity  
Employer

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Ryan Thomas  
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County: Levy  
Sec/Twp/Rge: S36/T12S/R17E, S02/T13S/R17E, S35/T12S/R17E

Dear Permittee(s):

The Southwest Florida Water Management District (District) is in receipt of your application for the Environmental Resource Permit. Based upon a review of the information you submitted, the application is approved.

Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

If approved construction plans are part of the permit, construction must be in accordance with these plans. These drawings are available for viewing or downloading through the District's Application and Permit Search Tools located at [www.WaterMatters.org/permits](http://www.WaterMatters.org/permits).

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at [www.WaterMatters.org/permits/noticing](http://www.WaterMatters.org/permits/noticing). If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.



If you have any questions or concerns regarding your permit or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

David Kramer, P.E.  
Bureau Chief  
Environmental Resource Permit Bureau  
Regulation Division

Enclosures:   Approved Permit w/Conditions Attached  
                  [As-Built Certification and Request for Conversion to Operation Phase](#)  
                  Notice of Authorization to Commence Construction  
                  Notice of Rights

cc:             Orlando Rivera  
                  Douglas VanDeursen P.E., DNM Engineering & Assoc., Inc.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
ENVIRONMENTAL RESOURCE  
INDIVIDUAL CONSTRUCTION  
PERMIT NO. 43046299.000**

**EXPIRATION DATE:** December 22, 2027

**PERMIT ISSUE DATE:** December 22, 2022

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapter 62-330, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

**PROJECT NAME:** 3RT Sand Mine  
**GRANTED TO:** Ryan Thomas  
11151 NE 35th St  
Bronson, FL 32621

**OTHER PERMITTEES:** N/A

**ABSTRACT:** This permit authorization is for the construction of a 400-acre borrow pit project. The proposed activities include the construction of a borrow area as named above and as shown on the approved construction drawings. This includes a buffer around the property to allow offsite flows to be accommodated. The excavation will occur above the seasonal high water table and there is no impervious area proposed. Information regarding the stormwater management system, 100-year floodplain, wetlands and/or surface waters is stated below and on the permitted construction drawings for the proposed project. The project is located on the south side of NE 50th St, west of NE 121st Ave, in Levy County.

**OP. & MAIN. ENTITY:** Ryan Thomas  
**OTHER OP. & MAIN. ENTITY:** N/A  
**COUNTY:** Levy  
**SEC/TWP/RGE:** S36/T12S/R17E, S02/T13S/R17E, S35/T12S/R17E  
**TOTAL ACRES OWNED  
OR UNDER CONTROL:** 540.54  
**PROJECT SIZE:** 400.00 Acres  
**LAND USE:** Mining  
**DATE APPLICATION FILED:** September 20, 2022  
**AMENDED DATE:** N/A



**I. Water Quantity/Quality**

Water Quantity/Quality Comment:

The proposed borrow area will include a 100-foot setback around the 400-acre site to maintain historic drainage patterns. There is no impervious area proposed. Therefore, water quantity attenuation and water quality treatment are not required.

The plans and calculations reflect the North American Vertical Datum of 1988 (NAVD 88).  
A mixing zone is not required.  
A variance is not required.

**II. 100-Year Floodplain**

Encroachment (Acre-Feet of fill)	Compensation (Acre-Feet of excavation)	Compensation Type	Encroachment Result* (feet)
0.00	0.00	No Encroachment	N/A

Floodplain Comment:

The project proposes no fill placement within a known 100-year riverine floodplain or depression storage areas associated with the 100-year, 24-hour event.

\*Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims Minimal Impact type of compensation.

**III. Environmental Considerations**

No wetlands or other surface waters exist within the project area.





## Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit may be terminated, unless the terms of the permit are modified by the District or the permit is transferred pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
2. The Permittee shall retain the design professional registered or licensed in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the design professional so employed. This information shall be submitted prior to construction.
3. If limestone bedrock is encountered during construction of the stormwater management system, the District must be notified and construction in the affected area shall cease.
4. The Permittee shall notify the District of any sinkhole development in the stormwater management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.
5. The Permitted Plan Set for this project includes the set received by the District on December 05, 2022.
6. District staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the District as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.
7. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District.
8. The permittee shall complete construction of all aspects of the stormwater management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.
9. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
  - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
  - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
  - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.
10. All stormwater management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.
11. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.
12. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the



approved project area(s), may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

13. 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](mailto:FWCConservationPlanningServices@MyFWC.com).
14. A "Recorded notice of Environmental Resource Permit," Form No. 62-330.090(1), shall be recorded in the public records of the County(s) where the project is located.

**GENERAL CONDITIONS**

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

**David Kramer, P.E.**

---

Authorized Signature




## EXHIBIT A

### GENERAL CONDITIONS:

- 1 The following general conditions are binding on all individual permits issued under this chapter, except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate, project-specific conditions.
  - a. 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., or the permit may be revoked and the permittee may be subject to enforcement action.
  - b. 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 Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
  - c. 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 subparagraph 62-330.050(8)(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.
  - d. 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," [effective date], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), 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. 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.
  - e. 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.
  - f. 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:
    1. 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
    2. For all other activities - "As-Built Certification and Request for Conversion to Operation Phase" [Form 62-330.310(1)].
    3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
  - g. If the final operation and maintenance entity is a third party:



1. 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 12.3.4 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.
  2. 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 and Maintenance 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.
- h. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
- i. This permit does not:
1. 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.;
  2. Convey to the permittee or create in the permittee any interest in real property;
  3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
  4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
- j. 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 Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
- k. The permittee shall hold and save the Agency 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.
- l. The permittee shall notify the Agency in writing:
1. Immediately if any previously submitted information is discovered to be inaccurate; and
  2. 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.
- m. Upon reasonable notice to the permittee, Agency 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.
- n. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving



subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work 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 notification shall be provided in accordance with Section 872.05, F.S. (2012).

- o. 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.
  - p. 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.
  - q. 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 Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
  - r. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
2. In addition to those general conditions in subsection (1) above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in Rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

SOUTHWEST FLORIDA  
WATER MANAGEMENT DISTRICT

**NOTICE OF  
AUTHORIZATION  
TO COMMENCE CONSTRUCTION**

3RT Sand Mine

PROJECT NAME

Mining

PROJECT TYPE

Levy

COUNTY

S36/T12S/R17E, S02/T13S/R17E, S35/T12S/R17E

SEC(S)/TWP(S)/RGE(S)

Ryan Thomas

PERMITTEE

APPLICATION ID/PERMIT NO: 857006 / 43046299.000

DATE ISSUED: December 22, 2022



David Kramer, P.E.

Issuing Authority

**THIS NOTICE SHOULD BE CONSPICUOUSLY  
DISPLAYED AT THE SITE OF THE WORK**

## Notice of Rights

### ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of state-owned submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at [www.flrules.org](http://www.flrules.org) or at the District's website at [www.WaterMatters.org/permits/rules](http://www.WaterMatters.org/permits/rules).
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at [www.WaterMatters.org/about](http://www.WaterMatters.org/about).



## **JUDICIAL REVIEW**

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.





3RT SAND MINE - NOTICE OF INTENT TO MINE OR MINING OTHER RESOURCES



me

miningandmitigation@floridadep.gov


4/11/2023 12:07 PM

From me

[dnmengineering@embarqmail.com](mailto:dnmengineering@embarqmail.com)

To [miningandmitigation@floridadep.gov](mailto:miningandmitigation@floridadep.gov)

Cc [rbthomas75@gmail.com](mailto:rbthomas75@gmail.com)

-  3RT Sand Mine DEP Other Resources Form 1 4-10-2023.pdf (2 MB)
- 3RT Sand Mine SWFWMD Permit.pdf (134 KB)
- 3RT Sand Mine Revised Engineering Plans 12-5-2022.pdf (8 MB)
- 3RT Sand Mine Engineering Report 3-2-2023.pdf (8 MB)

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Mining & Mitigation Department,

As per our discussions with Chris Suarez, ES III, please find attached for review the following documents with regards to the proposed 3RT Sand Mine in Section 35, Township 12 South, Range 17 East at in Bronson, Levy County, Florida:

- 1) Executed DEP Other Resources Form 1 - Notice of Intent to Mine or Mining Other Resources
- 2) 3RT Sand Mine SWFWMD ERP No.: 43046299.000
- 3) 3RT Sand Mine Revised Engineering Plans 12-5-2022
- 4) 3RT Sand Mine Engineering Report 3-3-2023

Please advise if you have any questions or require any additional information, please feel free to contact our office.

Thanks and have a great day!

Sincerely,

***Douglas A. VanDeursen, P.E.***

President

DNM Engineering & Associates, Inc.

P.O. Box 42

Ocala, Florida 34478

Office: 352-624-2068

Cell: 352-572-6347

Email: [dnmengineering@embarqmail.com](mailto:dnmengineering@embarqmail.com)

***ENVIRONMENTAL RESOURCE  
PERMIT APPLICATION***

***FOR***

***3RT SAND MINE***

***LOCATED AT:***

***SECTION 35, TOWNSHIP 12 EAST, RANGE 17 SOUTH  
BRONSON, LEVY COUNTY, FLORIDA***

***Prepared for:***

***Ryan B. Thomas,, Owner  
11151 Northeast 35th Street  
Bronson, Florida 32621  
(352) 258-9547  
Email: rbthomas75@gmail.com***

***Prepared by***



***P.O. Box 42  
Ocala, Florida 34478  
Office: 352-624-2068***

***March 2023***

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# CERTIFICATIONS

## ENGINEER:

DNM Engineering & Associates, Inc.  
 Douglas A. VanDeursen, P.E.  
 P.O. Box 42  
 Ocala, Florida 34478  
 Office: (352) 624-2068  
 Fax: (352) 622-6643  
 Email: dnmengineering@embarqmail.com

As the Professional Engineer responsible for preparation of this report, the undersigned certifies that the information contained in this report is true and correct to the best of his knowledge, the report was prepared in accordance with sound engineering principles and complies with Chapter 62-330, F.A.C. and the Environmental Resource Permit Applicant's Handbook Volumes I and II.

Signature of Engineer: \_\_\_\_\_

Date: \_\_\_\_\_



This item has been digitally signed and sealed by Douglas A. VanDeursen, P.E. on 3-2-2023 using an "SHA" Authentication Code.

Printed copies of this document are not considered signed and sealed and the "SHA" authentication code must be verified on any electronic copies.

## INTRODUCTION

### GENERAL

Ryan B. Thomas, property owner, is applying for an Environmental Resource Permit (ERP) to operate a proposed sand mine on Levy County Parcel I.D. Nos.: 0359701600, 0359700400, 0359700000, and 0359700300 located off of Northeast 110<sup>th</sup> Avenue in Bronson, Levy County, Florida. The past and current use of the subject project property is agricultural with existing infrastructure in place (limerock access road, irrigation wells, irrigation pivot, etc.) to allow for the necessary equipment for the proposed mining activities. The proposed mining project area will encompass 400+/- acres.

The proposed 3RT Sand Mine is expected to have a life span of over 50 years. Mining excavations will occur within designated mining blocks at depths ranging in three (3) to four (4) intervals with total excavations depths ranging from four (4) feet to twenty-four (24) feet as the depth of mining may vary depending upon the quality of the materials. Mined materials will be hauled off-site via 16 yard hauling trucks and hauling routes will vary depending upon the specific client. Upon completion of mining activities, the project site will be reclaimed to its original agricultural use.

Ingress/Egress to/from the proposed project area will be controlled by an existing access road located to the south and providing access to Northeast 30<sup>th</sup> Street as shown on the Ingress/Egress Map in Appendix A. No other buildings or impervious surfaces are proposed to be constructed on the subject property.

### PERMITTEE

The following is the permittee information for the proposed project and the responsible authority for operation and maintenance:

Owner:	<b>Ryan B. Thomas</b>
Mailing Address:	<b>11151 Northeast 35<sup>th</sup> Street</b>
City, State, Zip:	<b>Bronson, Florida 32621</b>
Office Number:	<b>(352) 258-9547</b>
Email Address:	<b><a href="mailto:rbthomas75@gmail.com">rbthomas75@gmail.com</a></b>

### FLOODPLAIN

According to the FEMA Flood Insurance Rate Map (FIRM) No.: 12075CO215F, effective 11/2/2012, the proposed project area is not located within an established flood plain. Please refer to Appendix C for a copy of the FEMA FIRM Map.

## **WETLANDS**

During the proposed mining activities, no wetlands will be impacted.

## **DESIGN & METHODOLOGY**

### ***WATER TABLE INVESTIGATION***

The project site is located in Candler and Astatula Fine Sands, which are classified as well drained sandy soils, as shown on the soils map included in Appendix B.

Additionally, potentiometric surface DIS data was reviewed from the Florida Geological Survey and in the 2015 contours, the potentiometric surface is indicated to be at an elevation of 50 feet along the subject property. Based upon the Geotechnical Report prepared by Geo-Tech, Inc. on July 28, 2022 and included in Appendix F, the estimated seasonal high water table was estimated to be at an elevation of 73+/- feet. The proposed plan set shows that excavation shall not occur within 3 feet of the estimated seasonal high water table (elevation of approximately 76.0+/- feet).

### ***WATER QUALITY & QUANTITY***

The pre-development surface flow pattern will be maintained during mining activities. Stormwater Best Management Practices (BMP) includes to maintain a proposed 100 feet setback/buffer from existing property boundaries to allow for any off-site drainage to continue pre-developed paths which ultimately sheet flows to Sand Pond located to the Southwest of the project area. No additional water quality measures are proposed for the proposed project area as any runoff within the proposed project area will be contained on-site during mining activities and since there are no proposed impervious areas to be constructed on-site, the stormwater runoff rate also will not increase as a result of the proposed mining activities.

### ***EROSION CONTROL & DEWATERING***

The proposed BMP includes to maintain a proposed 100 feet setback/buffer from existing property boundaries to prevent any sediment from washing off-site. No dewatering activities are anticipated for the proposed project. Water trucks will be utilized as necessary for dust control.

### **OPERATION & MAINTENANCE**

The property owner will operate and maintain the stormwater management system as designed. The property owner will inspect the proposed setback/buffer areas once a week as necessary to assure no runoff flowing off-site. Any erosion will be restored to original design condition.

### **UTILITIES**

No water or wastewater utilities are proposed for the proposed project. Portable toilets will be provided on-site and maintained by the portable toilet company as necessary.

### **APPENDICIES**

Appendix A – Ingress/Egress Map

Appendix B – Soils Map

Appendix C – FEMA FIRM Map

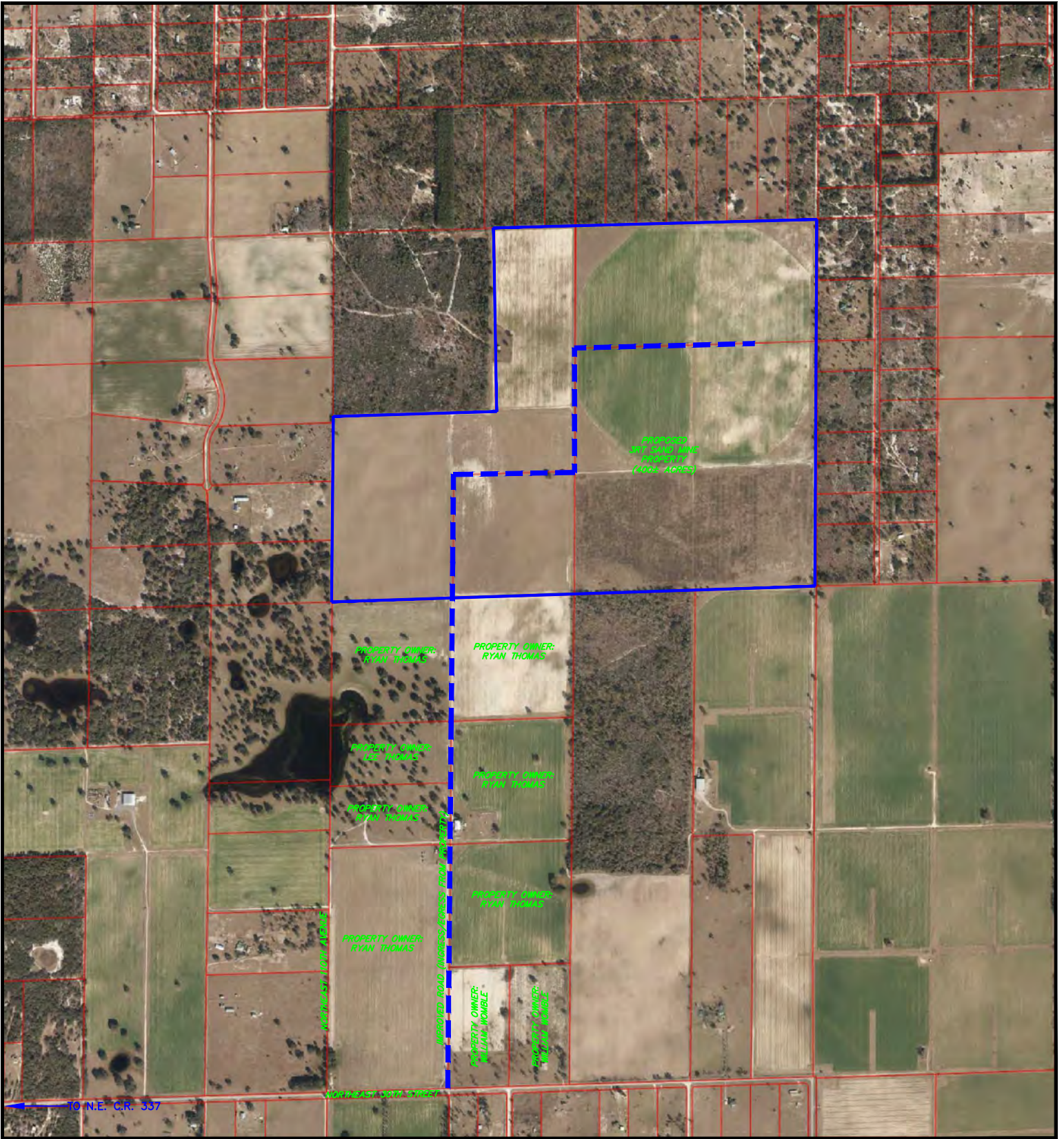
Appendix D – Geotechnical Report





*APPENDIX A*

*INGRESS / EGRESS MAP*



  
**3RT SAND MINE**  
**INGRESS / EGRESS MAP**  
 NORTH  
 1"=1,500'  
**BRONSON, LEVY COUNTY, FLORIDA**

**DNM ENGINEERING & ASSOCIATES, INC.**  


---

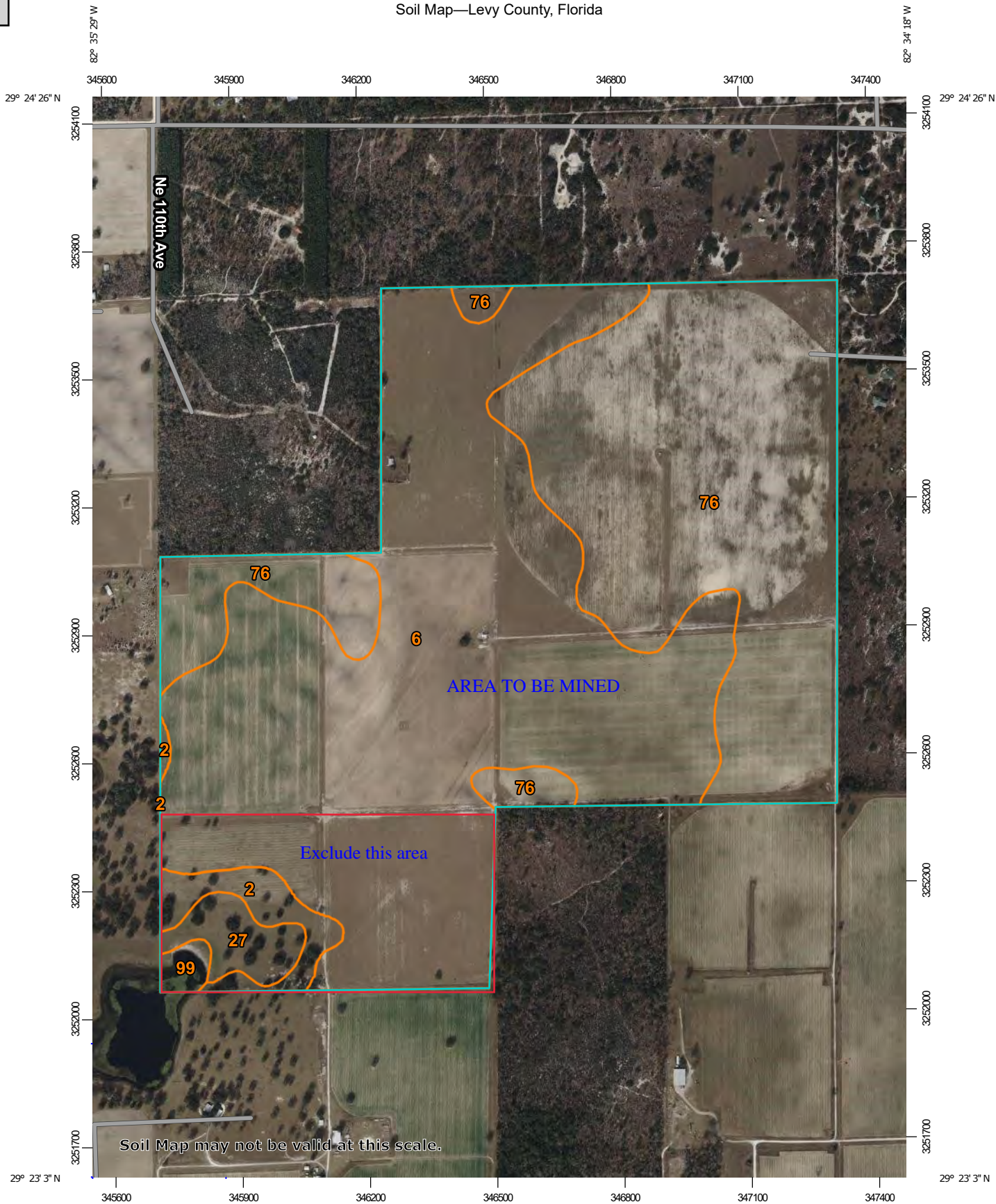
 P.O. BOX 42  
 OCALA, FLORIDA 34478  
 FAX (352) 622-6643  
 (352) 624-2068



***APPENDIX B***

***SOILS MAP***

Soil Map—Levy County, Florida



Map Scale: 1:12,400 if printed on A portrait (8.5" x 11") sheet.

0 150 300 600 900 Meters


0 500 1000 2000 3000 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84



### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)




















**Soils**



 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Levy County, Florida  
 Survey Area Data: Version 17, Aug 30, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 9, 2022—Feb 10, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2	Tavares fine sand, 1 to 5 percent slopes	12.7	2.6%
6	Candler fine sand, 1 to 5 percent slopes	270.7	55.8%
27	Placid and Popash soils, depressional	10.4	2.1%
76	Astatula fine sand, 1 to 8 percent slopes	188.6	38.8%
99	Water	3.1	0.6%
<b>Totals for Area of Interest</b>		<b>485.4</b>	<b>100.0%</b>

## Levy County, Florida

### 6—Candler fine sand, 1 to 5 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2ttl5

*Elevation:* 50 to 150 feet

*Mean annual precipitation:* 56 to 64 inches

*Mean annual air temperature:* 66 to 73 degrees F

*Frost-free period:* 254 to 284 days

*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Candler and similar soils:* 85 percent

*Minor components:* 15 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Candler

##### Setting

*Landform:* Ridges on marine terraces, knolls on marine terraces

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Eolian deposits and/or sandy and loamy marine deposits

##### Typical profile

*A - 0 to 6 inches:* fine sand

*E - 6 to 60 inches:* fine sand

*E and Bt - 60 to 80 inches:* fine sand

##### Properties and qualities

*Slope:* 1 to 5 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Excessively drained

*Runoff class:* Negligible

*Capacity of the most limiting layer to transmit water (Ksat):* High to very high (5.95 to 19.98 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

*Sodium adsorption ratio, maximum:* 4.0

*Available water supply, 0 to 60 inches:* Very low (about 2.5 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 4s

*Hydrologic Soil Group:* A

*Forage suitability group:* Sandy soils on ridges and dunes of xeric uplands (G154XB111FL)

*Other vegetative classification:* Sandy soils on ridges and dunes of xeric uplands (G154XB111FL)

*Hydric soil rating:* No

### **Minor Components**

#### **Apopka**

*Percent of map unit:* 3 percent

*Landform:* Ridges on marine terraces, knolls on marine terraces

*Landform position (three-dimensional):* Side slope, interflue

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on ridges and dunes of xeric uplands (G154XB111FL)

*Hydric soil rating:* No

#### **Millhopper**

*Percent of map unit:* 3 percent

*Landform:* Flats on marine terraces, rises on marine terraces

*Landform position (three-dimensional):* Interflue

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises, knolls, and ridges of mesic uplands (G154XB121FL)

*Hydric soil rating:* No

#### **Adamsville**

*Percent of map unit:* 3 percent

*Landform:* Rises on marine terraces, knolls on marine terraces

*Landform position (three-dimensional):* Interflue, tal

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises and knolls of mesic uplands (G154XB131FL)

*Hydric soil rating:* No

#### **Placid, depressional**

*Percent of map unit:* 2 percent

*Landform:* Depressions on marine terraces

*Landform position (three-dimensional):* Dip

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Other vegetative classification:* Sandy soils on stream terraces, flood plains, or in depressions (G154XB145FL)

*Hydric soil rating:* Yes

#### **Sparr**

*Percent of map unit:* 2 percent

*Landform:* Rises on marine terraces, flats on marine terraces

*Landform position (three-dimensional):* Rise

*Down-slope shape:* Convex



*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises and knolls of mesic uplands (G154XB131FL)

*Hydric soil rating:* No

**Popash**

*Percent of map unit:* 2 percent

*Landform:* Depressions on marine terraces

*Landform position (three-dimensional):* Dip

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Other vegetative classification:* Sandy soils on stream terraces, flood plains, or in depressions (G154XB145FL)

*Hydric soil rating:* Yes

## Data Source Information

Soil Survey Area: Levy County, Florida

Survey Area Data: Version 17, Aug 30, 2021

## Levy County, Florida

### 76—Astatula fine sand, 1 to 8 percent slopes

#### Map Unit Setting

*National map unit symbol:* 1jghr  
*Elevation:* 30 to 150 feet  
*Mean annual precipitation:* 56 to 64 inches  
*Mean annual air temperature:* 66 to 73 degrees F  
*Frost-free period:* 254 to 284 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Astatula and similar soils:* 96 percent  
*Minor components:* 4 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Astatula

##### Setting

*Landform:* Hills on marine terraces, ridges on marine terraces  
*Landform position (three-dimensional):* Side slope, interflue  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Eolian or sandy marine deposits

##### Typical profile

*A - 0 to 5 inches:* fine sand  
*C - 5 to 80 inches:* fine sand

##### Properties and qualities

*Slope:* 1 to 8 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Excessively drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* Very high (19.98 to 50.02 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Sodium adsorption ratio, maximum:* 4.0  
*Available water supply, 0 to 60 inches:* Very low (about 2.5 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 6s  
*Hydrologic Soil Group:* A  
*Forage suitability group:* Sandy soils on ridges and dunes of xeric uplands (G152AA111FL)

*Other vegetative classification:* Sandy soils on ridges and dunes of xeric uplands (G152AA111FL)

*Hydric soil rating:* No

### **Minor Components**

#### **Placid, depressional**

*Percent of map unit:* 1 percent

*Landform:* Depressions on marine terraces

*Landform position (three-dimensional):* Dip

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Other vegetative classification:* Sandy soils on stream terraces, flood plains, or in depressions (G152AA145FL)

*Hydric soil rating:* Yes

#### **Apopka**

*Percent of map unit:* 1 percent

*Landform:* Knolls on marine terraces, ridges on marine terraces

*Landform position (three-dimensional):* Side slope, interflue

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on ridges and dunes of xeric uplands (G152AA111FL)

*Hydric soil rating:* No

#### **Sparr**

*Percent of map unit:* 1 percent

*Landform:* Flats on marine terraces, rises on marine terraces

*Landform position (three-dimensional):* Rise

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises and knolls of mesic uplands (G152AA131FL)

*Hydric soil rating:* No

#### **Millhopper**

*Percent of map unit:* 1 percent

*Landform:* Flats on marine terraces, rises on marine terraces

*Landform position (three-dimensional):* Interflue

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises, knolls, and ridges of mesic uplands (G152AA121FL)

*Hydric soil rating:* No

## **Data Source Information**

Soil Survey Area: Levy County, Florida

Survey Area Data: Version 17, Aug 30, 2021



*APPENDIX C*

*FEMA FLOOD MAP*

**NOTES TO USERS**

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Floodway Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations** shown on this map apply only landward of 0' North American Vertical Datum of 1980 (NAVD 80). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for the jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Florida State Plane HARP WEST zone. The **horizontal datum** was NAD 83. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NOAA, NNGS12  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

**Base map** information shown on this FIRM was derived from Florida Department of Transportation Digital Orthomagey produced at a resolution of 1 foot from photography dated March, 2006.

Based on updated topographic information, this map reflects more detailed and up-to-date stream channel configurations and floodplain delineations than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map. Also, the road to floodplain relationships for unreviewed streams may differ from what is shown on previous maps.

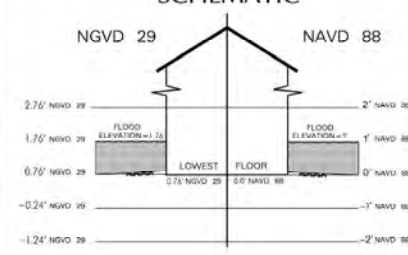
**Corporate limits** shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses, and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

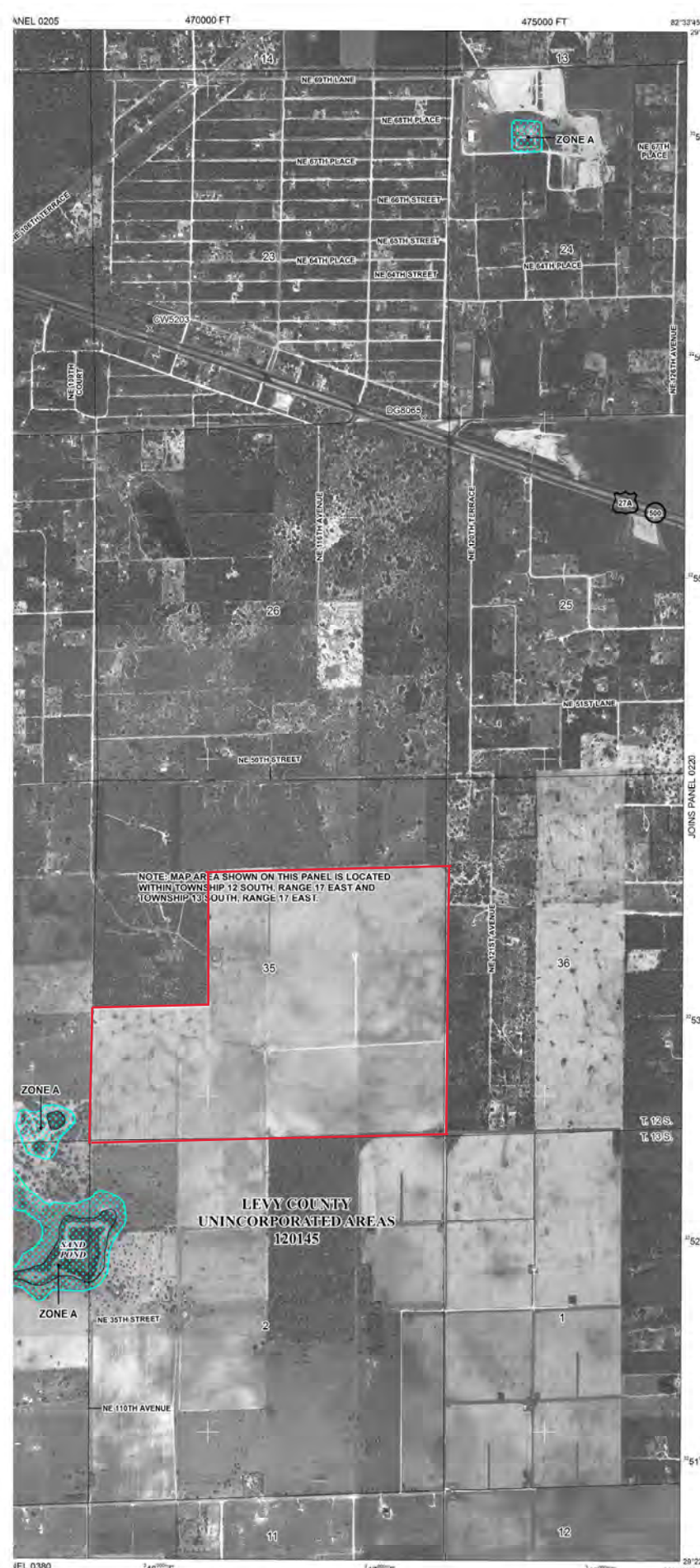
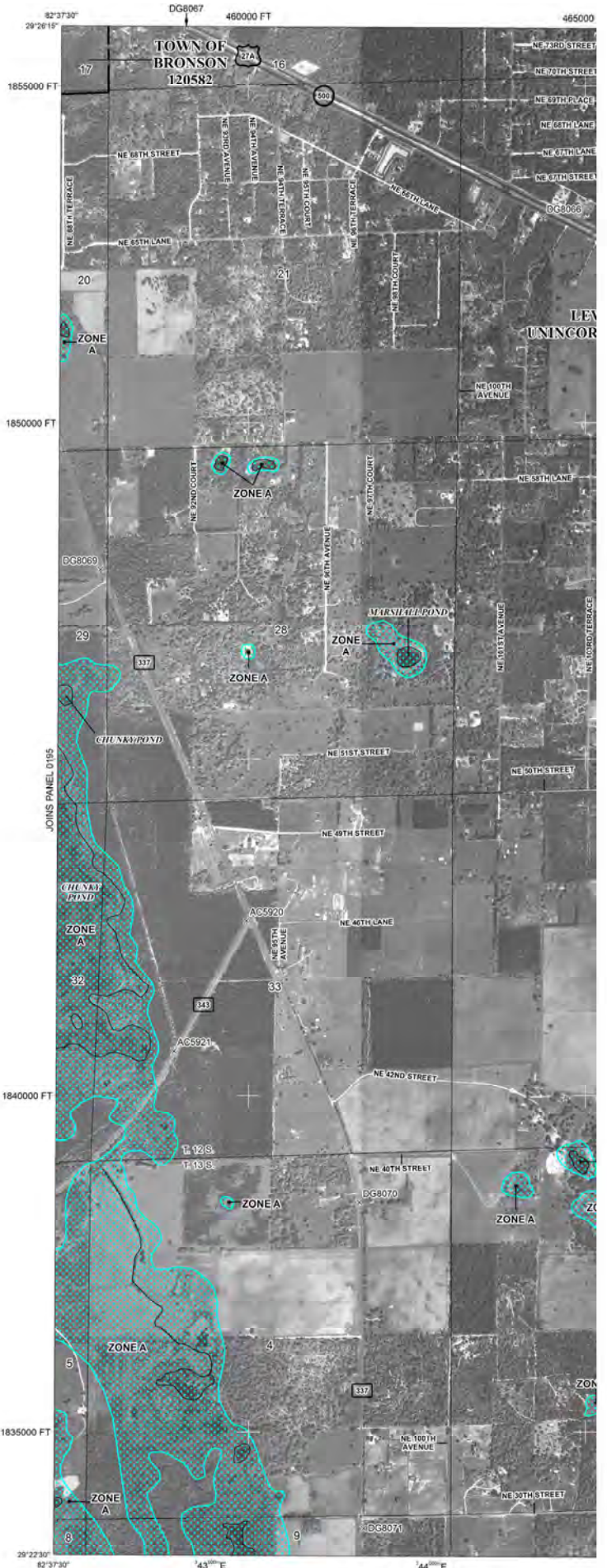
Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://msc.fema.gov>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/ifm>.

**DATUM CONVERSION SCHEMATIC**



This Flood Insurance Rate Map was developed in cooperation between Federal Emergency Management Agency and Southwest Florida Water Management District and Suwannee River Water Management District.



**LEGEND**

- SPECIAL FLOOD HAZARD AREAS SUBJECT BY THE 1% ANNUAL CHANCE FLOOD**
  - ZONE A**: No Base Flood Elevations determined.
  - ZONE AE**: Base Flood Elevations determined.
  - ZONE AH**: Flood depths of 1 to 3 feet (usually areas of elevations determined).
  - ZONE AO**: Flood depths of 1 to 3 feet (usually sheet flow on all depths determined. For areas of alluvial fan is determined).
  - ZONE AR**: Special Flood Hazard Area formerly protected from flood by a flood control system that was subsequently indicates that the former flood control system is no longer protection from the 1% annual chance or greater flood.
  - ZONE AR9**: Area to be protected from 1% annual chance for protection system under construction; no is determined.
  - ZONE V**: Coastal flood zone with velocity hazard (wave elevations determined).
  - ZONE VE**: Coastal flood zone with velocity hazard (wave elevations determined).
- FLOODWAY AREAS IN ZONE AE**
  - The floodway is the channel of a stream plus any adjacent floodplain areas of encroachment so that the 1% annual chance flood can be carried within in flood heights.
- OTHER FLOOD AREAS**
  - ZONE X**: Areas of 0.2% annual chance flood; areas of 1% an average depths of less than 1 foot or with drain 1 square mile; and areas protected by levees from 1'.
- OTHER AREAS**
  - ZONE X**: Areas determined to be outside the 0.2% annual chance flood.
  - ZONE D**: Areas in which flood hazards are undetermined, but...
- COASTAL BARRIER RESOURCES SYSTEM (CBRS)**
- OTHERWISE PROTECTED AREAS (OPAs)**
- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas
- Boundary dividing Special Flood Hazard Areas, flood depths or flood velocities
- Base Flood Elevation line and value; elevations (EL 587)
- Base Flood Elevation value where uniform in feet

\* Referenced to the North American Vertical Datum of 1988

- Cross section line
- Transsect line

87°07'45", 32°22'30"

Geographic coordinates referenced to 1 Datum of 1983 (NAD 83), Western Hemisphere

1000-meter Universal Transverse Mercator 17

600000 FT

5000-foot grid values: Florida State Plane West zone (FIPSZONE 0902), Transverse 17

DX5510 x

● M1.5

River Mile

MAP REPOSITORY  
Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP  
November 2, 2012

EFFECTIVE DATES OF REVISIONS TO THIS MAP

For community map revision history prior to countywide mapping, refer to Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact agent or call the National Flood Insurance Program at 1-800-638-6620.

**NFIP** PANEL 021

**FIRM**  
FLOOD INSURANCE

LEVY COUNTY, FLORIDA AND INCORPORATED

PANEL 215 OF 682 (SEE MAP INDEX FOR FIRM)

CONTAINS:

COMMUNITY	NUMBER
BRONSON TOWN OF LEVY COUNTY	12058; 120145

Notice to User: The Map Number used when placing map orders, is shown above. It should be used on your subject community.

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**EFF NOVE**

Federal Emergency Man



*APPENDIX D*

*GEOTECHNICAL REPORT*



ENGINEERING CONSULTANTS IN GEOTECHNICAL • ENVIRONMENTAL • CONSTRUCTION MATERIALS TESTING

July 28, 2022  
Project No. 22-9204.01.1

Ryan Thomas  
3RT Packing and Services, LLC  
11151 NE 35<sup>th</sup> Street  
Bronson, Florida 32621

Reference: Proposed Sand Mine, NE 110<sup>th</sup> Avenue, Bronson, Florida  
**Soil Borings and Laboratory Testing**

Dear Mr. Thomas:

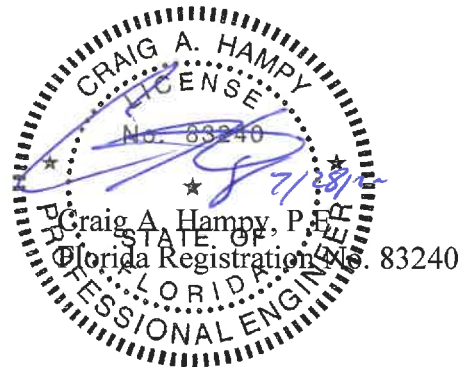
Geo-Technologies, Inc. (Geo-Tech) performed a site exploration at the project site per your request. Services were conducted in accordance with our Proposal No. 12557 dated June 14, 2022.

Our findings and evaluations are presented in the following report. Generally accepted soils and foundation engineering practices were employed in the preparation of this report.

Geo-Tech appreciates the opportunity to provide our services for this project. Should you have any questions regarding the contents of this report or if we may be of further assistance, please do not hesitate to contact the undersigned.

Sincerely,

Gerald W. Green, Jr.  
Soil & Water Scientist  
GWG/CAH/lso



## **Purposes**

Purposes of this exploration were to characterize subsurface soils conditions at the site and to provide our findings and evaluations.

## **Site Description**

The site is located at Parcel No. 0359700000, 0359700300, 0359700400 and 0359701600 on the east side of NE 110<sup>th</sup> Avenue in Bronson, Florida. The site was covered with native trees and grasses at the time of drilling.

## **Exploration Program**

Field exploration services for the geotechnical exploration consisted of the following:

- Twenty (20) direct push borings (B-1 thru B-6, B-8 thru B-12, B-14 thru B-17 and B-19 thru B-23) to depths of approximately thirty (30) feet below existing site grade (ASTM D-6282). Direct Push borings were performed on July 8, 2022
- Three (3) Standard Penetration Test (SPT) borings (B-7, B-13 and B-18) to depths of approximately sixty (60) feet below existing site grade (ASTM D-1586). SPT borings were performed on July 25, 2022.

## **Sampling & Testing Descriptions**

### **Gradation (-200) Testing**

A specimen of soil is washed over a seventy-five (75)  $\mu\text{m}$  (No. 200) sieve. Clay and other particles that are dispersed by the wash water, as well as water-soluble materials, are removed from the soil during the test. The loss in mass resulting from the wash treatment is calculated as mass percent of the original sample and is reported as the percentage of material finer than a seventy-five (75)  $\mu\text{m}$  (No. 200) sieve by washing.

### **Direct Push Sampling**

Direct Push (DP) soil sampling method (ASTM D-6282) consists of advancing a sampling device into subsurface soils by applying static pressure, by applying impacts, or by applying vibration, or any combination thereof, to the above ground portion of the sampler extensions until sampler has been advanced to the desired sampling depth. The sampler is recovered from the borehole and the sample removed from the sampler. The sampler is cleaned and the procedure repeated for the next desired sampling interval.

Sampling can be continuous for full depth borehole logging or incremental for specific interval sampling. Samplers used can be protected type for controlled specimen gathering or unprotected for general soil specimen collection. Direct push methods of soil sampling are used for geologic investigation, soil chemical composition studies, and water quality investigations. Continuous sampling is used to provide a lithological detail of the subsurface strata and to gather samples for classification and index.



Samples recovered during performance of our direct push borings were visually classified in the field and were transported to our laboratory for further analysis.

### **Standard Penetration Testing**

A Standard Penetration Test (SPT) boring (ASTM D-1586) is defined as a standard split-barrel sampler driven into the soil by a one hundred and forty (140) pound hammer falling thirty (30) inches. The number of blows required to drive the sampler one (1) foot, after seating six (6) inches, is designated resistance, or “N”-Value is an index to soil strength and consistency.

Samples recovered during performance of our SPT borings were visually classified in the field and representative portions of the samples were placed in containers and transported to our laboratory for further analysis.

### **Findings**

General subsurface conditions found in our soil borings are graphically presented on the soil profiles in Appendix I. Horizontal lines designating the interface between differing materials found represent approximate boundaries. Transition between soil layers is typically gradual.

Soil found in our direct push borings B-1, B-2, B-3 and B-22 generally consisted of a surficial layer of fine sand to the depths drilled.

Soils found in direct push borings B-4, B-5, B-6, B-8 thru B-12, B-14, B-15, B-19, B-20 and B-21 generally consisted of a surficial layer of fine sand ranging from approximately six and one-half (6 ½) to twenty-nine (29) feet thick underlain by clayey sand to the depths drilled.

Soils found in direct push borings B-16 and B-17 generally consisted of a surficial layer of fine sand ranging from approximately fourteen and one-half (14 ½) to twenty-six (26) feet thick underlain by clayey sand and slightly sandy clay to the depths drilled.

Soils found in direct push boring B-23 generally consisted of a surficial layer of fine sand approximately twelve and one-half (12 ½) feet thick underlain by clayey sand and fine sand to the depth drilled.

Soils found in SPT boring B-7 generally consisted of a surficial layer of very loose to medium dense fine sand approximately eighteen and one-half (18 ½) feet thick underlain by medium dense to dense clayey sand to the depth drilled.

Soils found in SPT borings B-13 and B-18 generally consisted of a surficial layer of very loose to very dense fine sand ranging from approximately twenty (20) to twenty-eight and one-half (28 ½) feet thick underlain by medium dense to very dense clayey sand and very dense fine sand to the depths drilled.

Ground water table levels were not found in our borings at the time of drilling.

### **Gradation (-200) Testing Results**

Fine sand and clayey sand soils found at our boring locations yielded passing fines ranging from one (1) to thirty-six (36) percent on the samples tested. We refer the reader to the attached soil profiles for the various soils found.

### **Evaluations**

Fine sand soils found in our borings appear to be suitable to be utilized for conventional foundation systems and pavement construction based on our findings.

Clayey sand and slightly sandy clay soils found in our borings appear to be unsuitable to be utilized for conventional foundation systems and pavement construction based on our findings. However, these clayey sand soils can be utilized in other non-structural grading.

### **Closure/General Qualifications**

This report has been prepared in order to aid evaluation of the subject site. The scope is limited to the specific project and the location described herein.

Findings and evaluations submitted in this report are based upon the data obtained from the soil borings performed at the locations indicated on the Boring Location Map, and from any other information discussed in this report. This report does not reflect any variations, which may occur between these borings. In the performance of subsurface investigations, specific information is obtained at specific locations at specific times. Variations in soil and rock conditions exist on most sites between boring locations. Groundwater levels may also vary from time to time.



**APPENDIX I**  
**SOIL PROFILES**

## Log of Borehole: B-1

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks	
0		Ground Surface	0.0			
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)				
2						
3						
4						
5						
6						
7						
8						
9						
10						
11			% PASS -200 AT APPROX. 10.0 FEET = 1			
12						
13						
14						
15					1	
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30			30.0			
31		End of Borehole				
32						

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 1 OF 23

## Log of Borehole: B-2

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks	
0		Ground Surface	0.0			
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)				
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15					1	
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30			30.0			
31		End of Borehole				
32						

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 2 OF 23

## Log of Borehole: B-3

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					1
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 3 OF 23

## Log of Borehole: B-4

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30		End of Borehole	30.0		
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 4 OF 23

## Log of Borehole: B-5

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

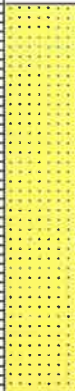

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10			% PASS -200 AT APPROX. 10.0 FEET = 1.9		10.5
11		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					30.0
30		End of Borehole			
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 5 OF 23



## Log of Borehole: B-6

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL



Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	10.5	2	
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30		End of Borehole	30.0		
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 6 OF 23

## Log of Borehole: B-7

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test N-Values
0		Ground Surface		0.0				▲ 0 20 40 60 80 100 ▲
0 to 19		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)	HAND AUGERED					
1			VERY LOOSE		1		3	▲ 3
2			LOOSE		2		4	▲ 4
3			LOOSE		3		6	▲ 6
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14			MEDIUM DENSE		4		14	▲ 14
15								
16								
17								
18				18.5				
19		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	MEDIUM DENSE		5		18	▲ 18
20								
21								
22								
23								
24			MEDIUM DENSE		6		22	▲ 22
25								
26								
27								
28								
29			DENSE		7		31	▲ 31
30								
31								
32								

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 7 OF 23

## Log of Borehole: B-7

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test		
								N-Values		
33										
34			MEDIUM DENSE		8		22	22		
35										
36										
37										
38										
39				MEDIUM DENSE		9		24	24	
40										
41										
42										
43										
44				MEDIUM DENSE		10		28	28	
45										
46										
47										
48										
49			MEDIUM DENSE		11		25	25		
50										
51										
52										
53										
54			DENSE		12		30	30		
55										
56										
57										
58										
59			DENSE		13		30	30		
60				60.0						
61		End of Borehole								
62										
63										
64										

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 7 OF 23

## Log of Borehole: B-8

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL



Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31		End of Borehole	30.0		
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 8 OF 23

## Log of Borehole: B-9

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

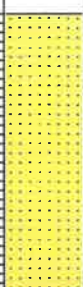

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5			% PASS -200 AT APPROX. 5.0 FEET = 4.2		
6					
7					7.5
8		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
9					
10					
11			% PASS -200 AT APPROX. 10.0 FEET = 36		
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					30.0
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 9 OF 23

## Log of Borehole: B-10

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

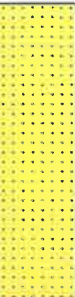

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)	8.0	1	
2					
3					
4					
5					
6					
7					
8					
9		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	30.0	2	
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 10 OF 23

## Log of Borehole: B-11

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL



Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10			10.5		
11		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29			30.0		
30		End of Borehole			
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 11 OF 23

## Log of Borehole: B-12

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

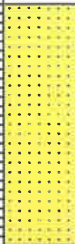

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	6.5	2	
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30		End of Borehole	30.0		
31					
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 12 OF 23



## Log of Borehole: B-13

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test	
								N-Values	
0		Ground Surface		0.0					
0 - 20		<b>FINE SAND</b> BROWN FINE SAND (SP)	HAND AUGERED						
1			VERY LOOSE		1		3	▲	3
2			LOOSE		2		4	▲	4
3			LOOSE		3		4	▲	4
4			MEDIUM DENSE		4		10	▲	10
5			MEDIUM DENSE	20.0	5		20	▲	20
6			MEDIUM DENSE		6		27	▲	27
7			VERY DENSE	28.5	7		56	▲	56
20 - 29		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)							
29 - 32		<b>FINE SAND</b> LIGHT GREY FINE SAND (SP)							

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 13 OF 23

## Log of Borehole: B-13

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test N-Values											
								0	20	40	60	80	100						
33				33.5															
34		<b>CLAYEY SAND</b> LIGHT BROWN CLAYEY SAND (SC)	MEDIUM DENSE		8		27										27		
35																			
36																			
37																			
38																			
39				MEDIUM DENSE		9		27											27
40																			
41																			
42																			
43				DENSE		10		43											43
44																			
45																			
46																			
47																			
48																			
49			VERY DENSE		11		56											56	
50																			
51																			
52																			
53																			
54			VERY DENSE		12		59											59	
55																			
56																			
57																			
58																			
59			MEDIUM DENSE		13		28											28	
60				60.0															
61		End of Borehole																	
62																			
63																			
64																			

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 13 OF 23

## Log of Borehole: B-14

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

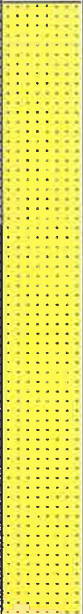

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	16.5	2	
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32		End of Borehole	30.0		

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 14 OF 23

## Log of Borehole: B-15

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

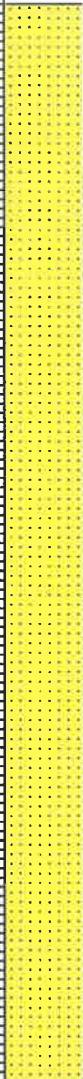
Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
29.0			29.0		
30		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	30.0	2	
31					
32		End of Borehole			

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 15 OF 23

## Log of Borehole: B-16

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

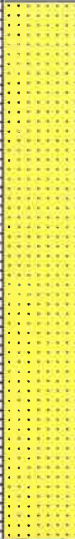


Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5					
6					
7				1	
8					
9					
10					
11					
12					
13					
14			14.5		
15		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)			
16					
17					
18					
19					
20					
21				2	
22					
23					
24					
25					
26					
27			27.0		
28		<b>SLIGHTLY SANDY CLAY</b> GREY AND YELLOWISH BROWN SLIGHTLY SANDY CLAY (CH)			
29				3	
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 16 OF 23

## Log of Borehole: B-17

**GEO-TECH, inc.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5					
6					
7					
8					
9					
10			% PASS -200 AT APPROX. 10.0 FEET = 1		
11					
12					
13					1
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26			26.0		
27		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)	28.0	2	
28					
29		<b>SLIGHTLY SANDY CLAY</b> GREY AND YELLOWISH BROWN SLIGHTLY SANDY CLAY (CH)	30.0	3	
30					
31					
32		End of Borehole			

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 17 OF 23

## Log of Borehole: B-18

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test N-Values														
								0	20	40	60	80	100									
0		Ground Surface		0.0																		
1	FINE SAND BROWN FINE SAND (SP)		HAND AUGERED																			
2																						
3																						
4																						
5							LOOSE		1		4										4	
6																						
7							VERY LOOSE		2		3											3
8																						
9							LOOSE		3		4											4
10																						
11																						
12																						
13																						
14							MEDIUM DENSE		4		13											13
15																						
16																						
17																						
18																						
19							DENSE		5		37											37
20																						
21																						
22																						
23																						
24							VERY DENSE		6		55											55
25																						
26																						
27																						
28																						
28.5																						
29	CLAYEY SAND LIGHT BROWN CLAYEY SAND (SC)		MEDIUM DENSE																			
30																						
31																						
32																						22

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 18 OF 23

## Log of Borehole: B-18

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Consistency	Depth/Elev.	Number	Type	Blows/ft	Standard Penetration Test										
								N-Values										
33			MEDIUM DENSE		8		27	▲	27									
34																		
35																		
36																		
37																		
38			DENSE		9		46	▲	46									
39																		
40																		
41		FINE SAND LIGHT GREY FINE SAND (SP)	VERY DENSE	43.5	10		55	▲	55									
42																		
43																		
44																		
45																		
46																		
47																		
48																		
49												VERY DENSE		11		50	▲	50
50																		
51												VERY DENSE		12		57	▲	57
52																		
53												VERY DENSE		13		76	▲	76
54																		
55																		
56																		
57	End of Borehole																	
58																		
59																		
60																		
61																		
62																		
63																		
64																		

Ground Water Depth: NOT FOUND

Drill Date: JULY 25, 2022

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Drilled By: WH/CC/EC

Drill Method: ASTM D-1586

Soil Profile : 18 OF 23



## Log of Borehole: B-19

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
27.5			27.5		
28		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
29					
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 19 OF 23

## Log of Borehole: B-20

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

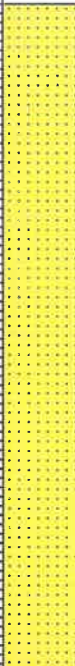

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					18.0
18		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)		2	
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 20 OF 23

## Log of Borehole: B-21

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711  
WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

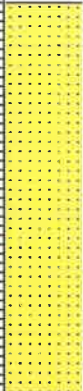

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)			
2					
3					
4					
5		% PASS -200 AT APPROX. 5.0 FEET = 1		1	
6					
7					
8					
9					
10			10.5		
11		<b>CLAYEY SAND</b> YELLOWISH BROWN AND GREY CLAYEY SAND (SC)			
12					
13					
14		% PASS -200 AT APPROX. 12.0 FEET = 24		2	
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30			30.0		
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 21 OF 23

## Log of Borehole: B-22

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1	<div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; pointer-events: none;"> <p style="margin: 0;"><b>FINE SAND</b></p> <p style="margin: 0;">BROWN TO LIGHT GREY FINE SAND (SP)</p> </div>				
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30			30.0	1	
31		End of Borehole			
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 22 OF 23

## Log of Borehole: B-23

**GEO-TECH, INC.**

ENGINEERING CONSULTANTS

1016 SE 3rd Avenue  
Ocala, Florida  
352.694.7711

WWW.GEOTECHFL.COM

Project: PROPOSED SAND MINE, NE 110TH AVENUE, BRONSON, FL

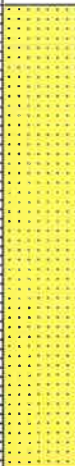

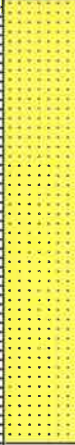
Project No: 22-9204.01.1

Boring Location: (SEE SITE PLAN)

Engineer: NJH/CAH

Client: 3RT PACKING AND SERVICES, LLC

Enclosure: SITE PLAN

Depth (ft)	Symbol	Description	Depth/Elev.	Number	Remarks
0		Ground Surface	0.0		
1		<b>FINE SAND</b> BROWN TO LIGHT GREY FINE SAND (SP)		1	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13		<b>CLAYEY SAND</b> YELLOWISH BROWN CLAYEY SAND (SC)	12.5	2	
14					
15					
16					
17					
18					
19		<b>FINE SAND</b> LIGHT GREY FINE SAND (SP)	18.0	3	
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31		End of Borehole	30.0		
32					

Ground Water Depth: NOT FOUND

Drill Date: JULY 8, 2022

Drilled By: RD/CF

Drill Method: ASTM D-6282

Remarks: (SP) UNIFIED SOIL CLASSIFICATION SYMBOL AS DETERMINED BY VISUAL REVIEW

Soil Profile : 23 OF 23

**APPENDIX II**  
**BORING LOCATION MAP**



NE 110TH AVENUE

NE 110th Ave



- ⊕ = APPROXIMATE DIRECT PUSH BORING LOCATION
- ⊖ = APPROXIMATE STANDARD PENETRATION TEST (SPT) BORING LOCATION

NE 124 Ave

3RT PACKING AND SERVICES, LLC  
 PROPOSED SAND MINE  
 NE 110TH AVENUE  
 BRONSON, FLORIDA

BORING LOCATION MAP

**GEO-TECH, INC.**

■ GEOTECHNICAL ■ ENVIRONMENTAL  
 ■ CONSTRUCTION MATERIALS TESTING ■ GEOPHYSICAL EXPLORATION  
 1016 SE 3rd AVENUE, OCALA, FLORIDA 34471 ~ (352) 694-7711

PROJECT NO.	22-9204.01.1
SCALE:	N.T.S.
DATE:	7-27-22
FIGURE:	1

# ENVIRONMENTAL RESOURCE PERMIT FOR 3RT SAND MINE

SECTION 35, TOWNSHIP 12 SOUTH, RANGE 17 EAST  
NORTHEAST 110TH AVENUE  
BRONSON, LEVY COUNTY, FLORIDA

## PROJECT INFORMATION

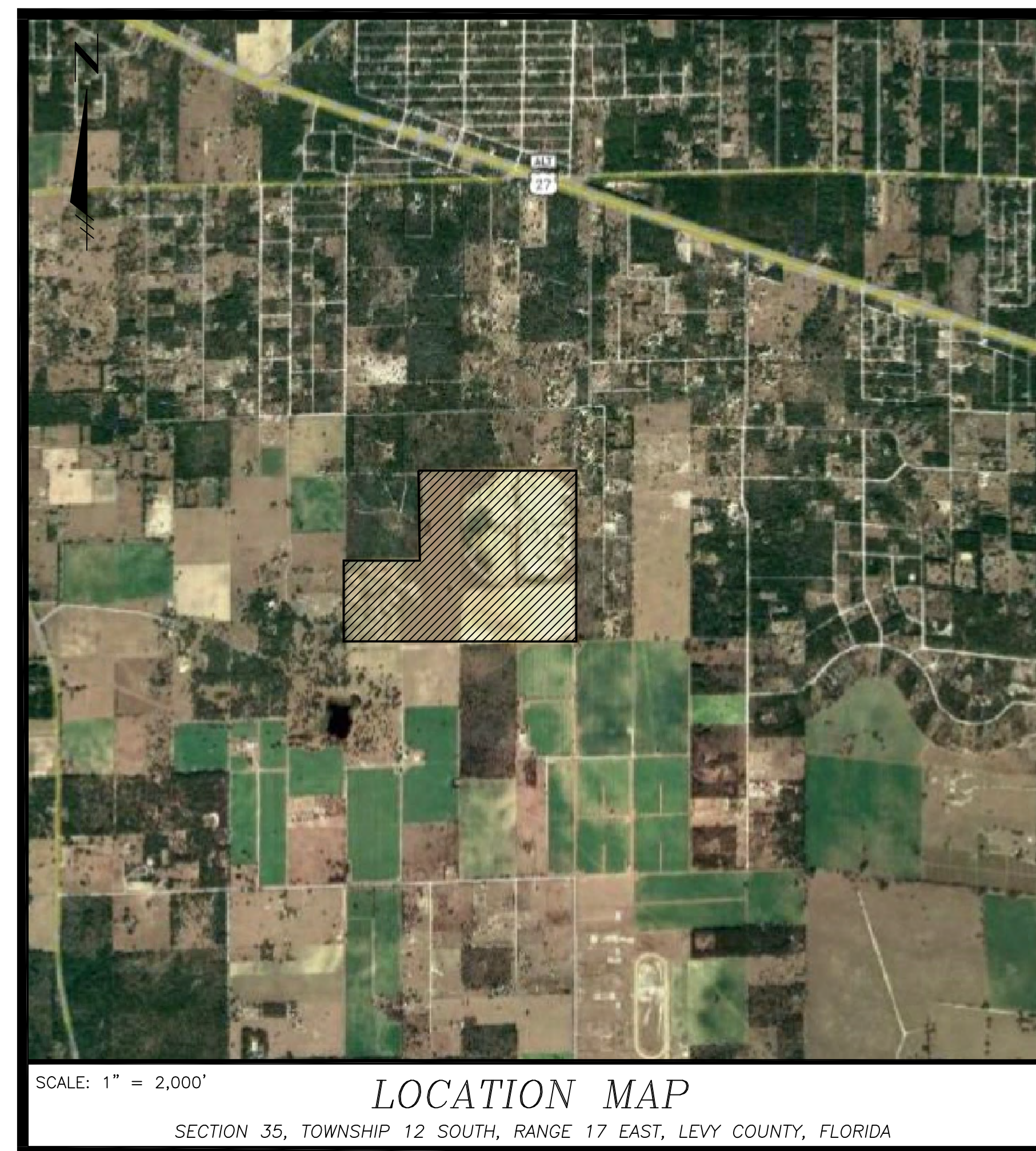
PERMITTEE: RYAN B. THOMAS, OWNER  
11151 NORTHEAST 35TH STREET  
BRONSON, FLORIDA 32621  
PHONE: (352) 258-9547

ENGINEER: DNM ENGINEERING & ASSOCIATES, INC.  
CONTACT: DOUGLAS A. VANDEURSEN, P.E.  
POST OFFICE BOX 42  
OCALA, FLORIDA 34478  
TELEPHONE: (352) 624-2068  
FAX: (352) 622-6643

GENERAL PURPOSE: TO MINE 400± ACRES OF AGRICULTURAL LAND FOR FINE SAND AND CLAYEY SAND.

## GENERAL NOTES:

1. THIS SET OF PLANS IS NOT TO BE USED FOR ANY PURPOSE UNLESS ALL SHEETS LISTED IN THE INDEX ARE INCLUDED IN THE SET, SECURELY BOUND AND EACH SHEET PROPERLY CERTIFIED.
2. ALL CONSTRUCTION COVERED BY THESE PLANS MUST CONFORM TO THE LATEST MATERIAL AND PROCEDURES REQUIREMENTS AND QUALITY CONTROL STANDARDS REQUIRED BY THE LEVY COUNTY "LAND DEVELOPMENT CODE," AS APPLICABLE.
3. ANY DEVIATION FROM THESE PLANS REQUIRES PRIOR WRITTEN APPROVAL FROM THE PROFESSIONAL ENGINEER OF RECORD AND, IF APPLICABLE, FROM THE PROPERTY OWNER.
4. THE OWNER/CONTRACTOR FOR THE PROJECT IS HEREBY REQUIRED, AS PART OF THE CONTRACT, TO REVIEW EACH SHEET OF THE SET AND STUDY THEIR CORRELATION PRIOR TO MINING ACTIVITIES. OWNER/CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES FOUND ON THESE PLANS.
5. OWNER/CONTRACTOR IS HEREBY REQUIRED TO IMPLEMENT SITE SAFETY AT ALL TIMES PER OSHA.
6. THE OWNER/CONTRACTOR IS HEREBY REQUIRED TO CONTACT ALL PERTINENT UTILITY COMPANIES, FIELD VERIFY THE LOCATION, BOTH HORIZONTAL AND VERTICAL, OF THE UTILITIES PERTINENT TO THE PROJECT PRIOR TO STARTING CONSTRUCTION.
7. ALL SIGN AND MARKINGS MATERIAL SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND SAFETY PRACTICES FOR STREET AND HIGHWAYS AND UTILITY OPERATIONS.
8. THIS PROJECT FALLS WITHIN THE JURISDICTION OF THE FOLLOWING REGULATORY / MUNICIPAL AGENCIES. CONSTRUCTION SHALL COMMENCE ONLY AFTER APPROVAL OF ALL APPLICABLE PERMITS.  
- SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SAND MINE)  
- FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (SAND MINE)
9. DNM ENGINEERING & ASSOCIATES, INC. AND ITS EMPLOYEES ARE NOT RESPONSIBLE FOR ON-SITE SAFETY DURING CONSTRUCTION.



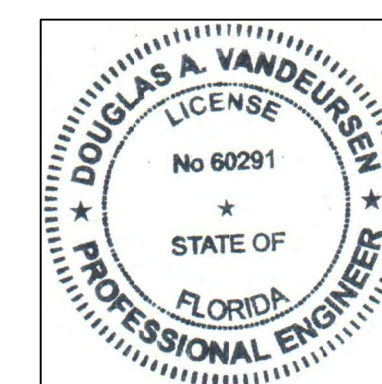
## INDEX OF SHEETS

SHEET	DESCRIPTION
CVR	COVER SHEET
SUR	SURVEY
SM1	PROPERTY OWNERSHIP MAP
SM2	SITE PLAN
SM3	TOPOGRAPHIC MAP
SM4	CROSS SECTIONS
SM5	CROSS SECTIONS
SM6	WELL LOCATION MAP

**DNM ENGINEERING & ASSOCIATES, Inc.**

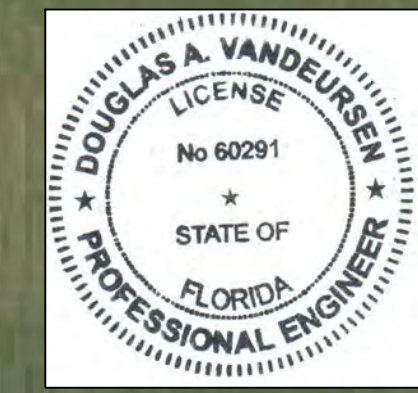
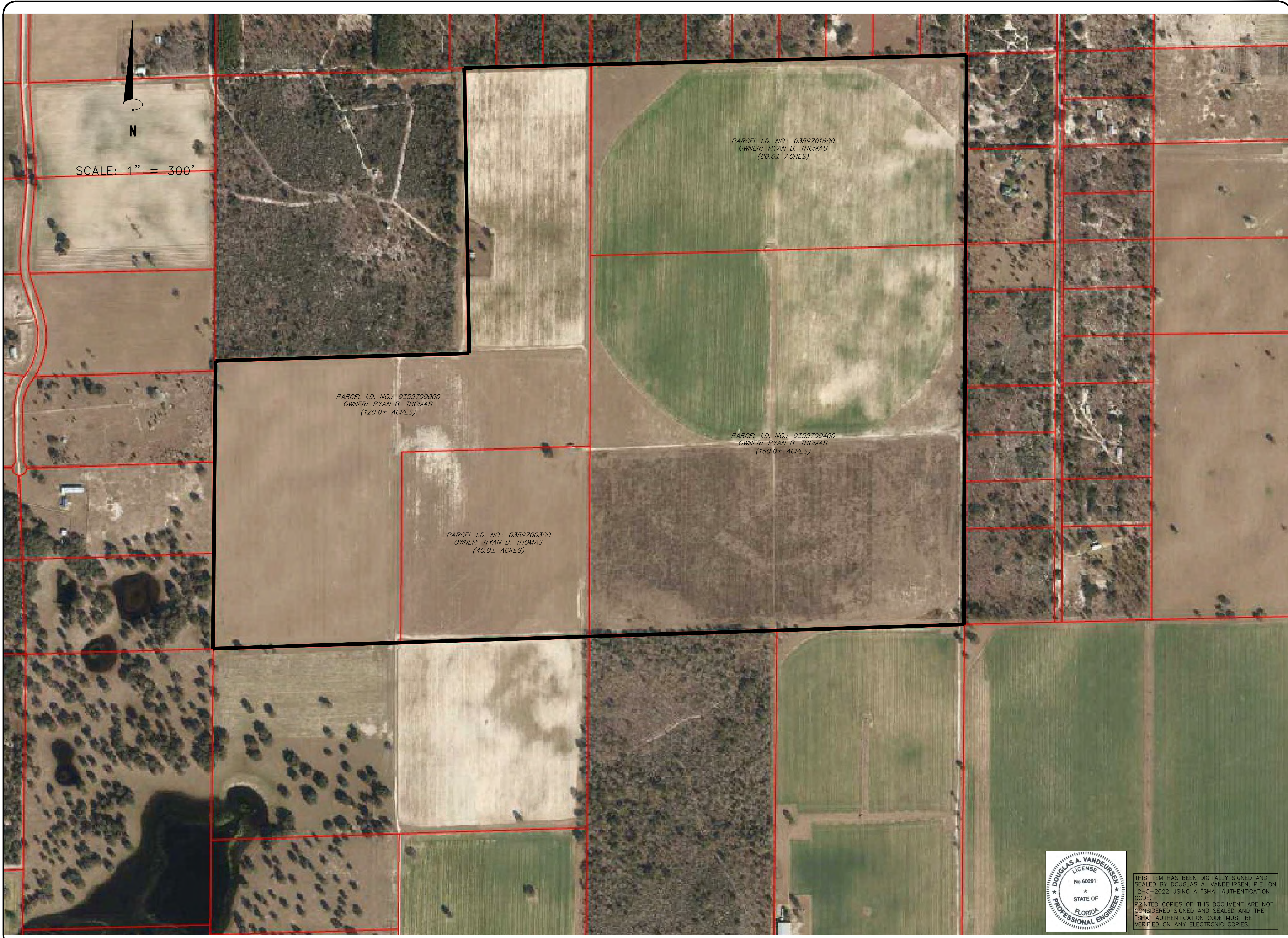
POST OFFICE BOX 42  
OCALA, FLORIDA 34478

(352) 624-2068  
FAX: (352) 622-6643  
CAN: 9724



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 P.O. BOX 42  
 (352) 624-2068  
 Ocala, Florida 34478  
 FAX (352) 622-6643  
 CAN: 9724

**PROPERTY OWNERSHIP MAP**  
 3RT SAND MINE  
 N.E. 110TH AVENUE  
 BRONSON, LEVY COUNTY, FLORIDA

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE

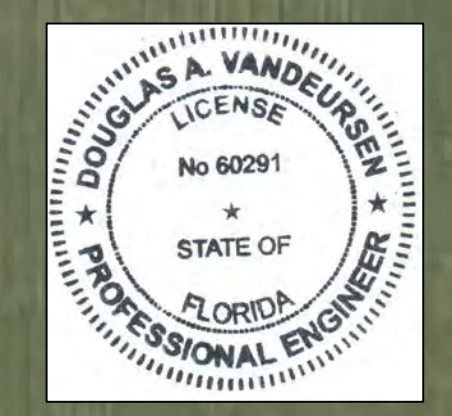
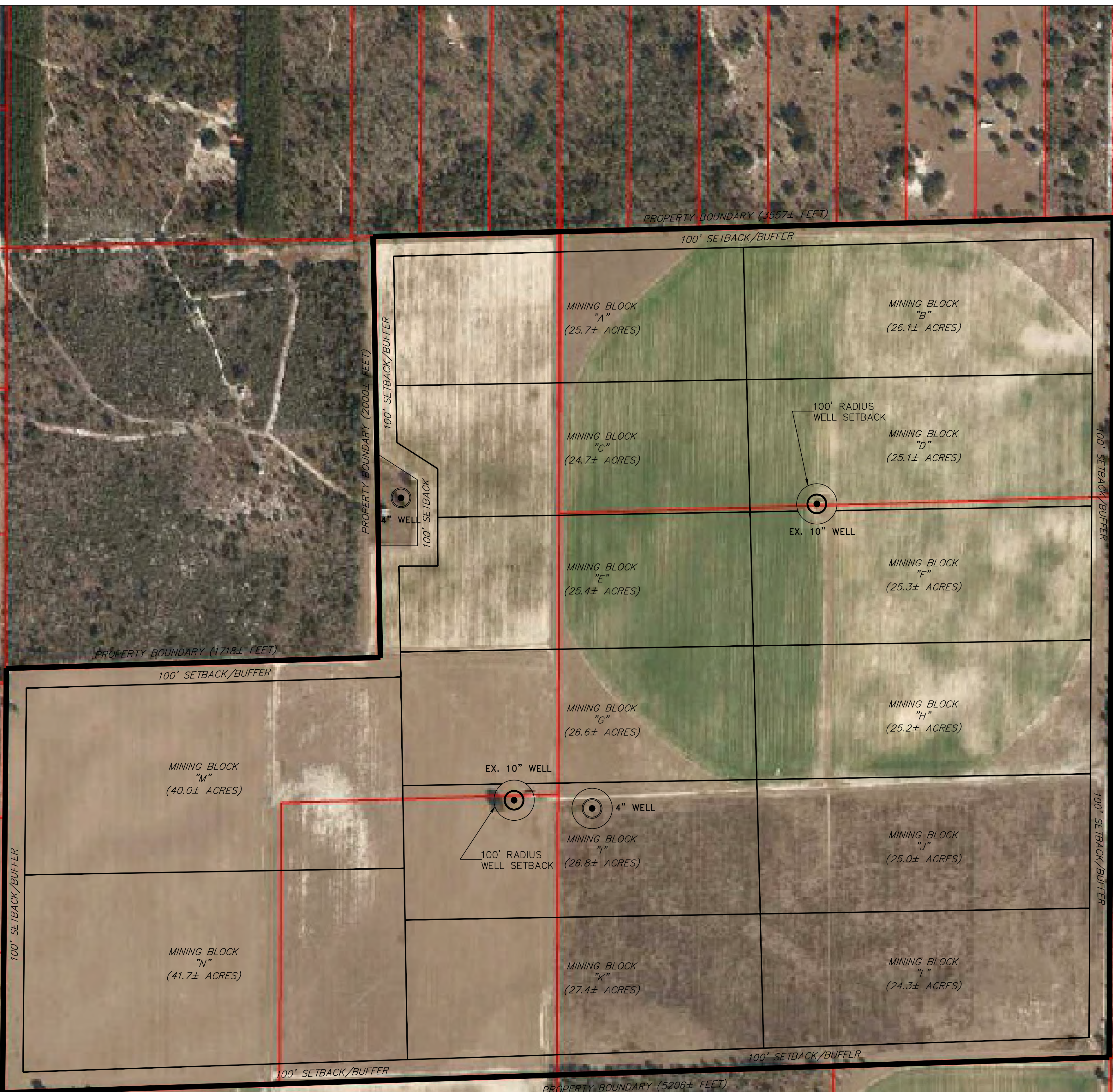
Project No. 22-084

**SM1**

Sheet 3 Of 8



SCALE: 1" = 300'



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 Ocala, Florida 34478  
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 CAN: 9724

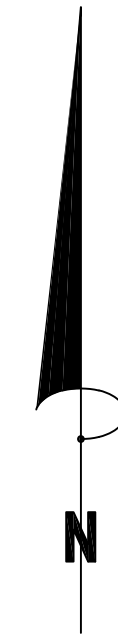
**SITE PLAN**  
**3RT SAND MINE**  
**N.E. 110TH AVENUE**  
**BRONSON, LEVY COUNTY, FLORIDA**

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE

Project No. 22-084

**SM2**

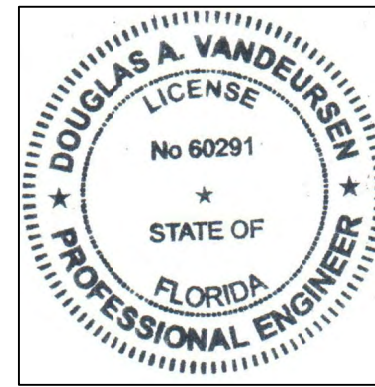
Sheet 4 Of 8



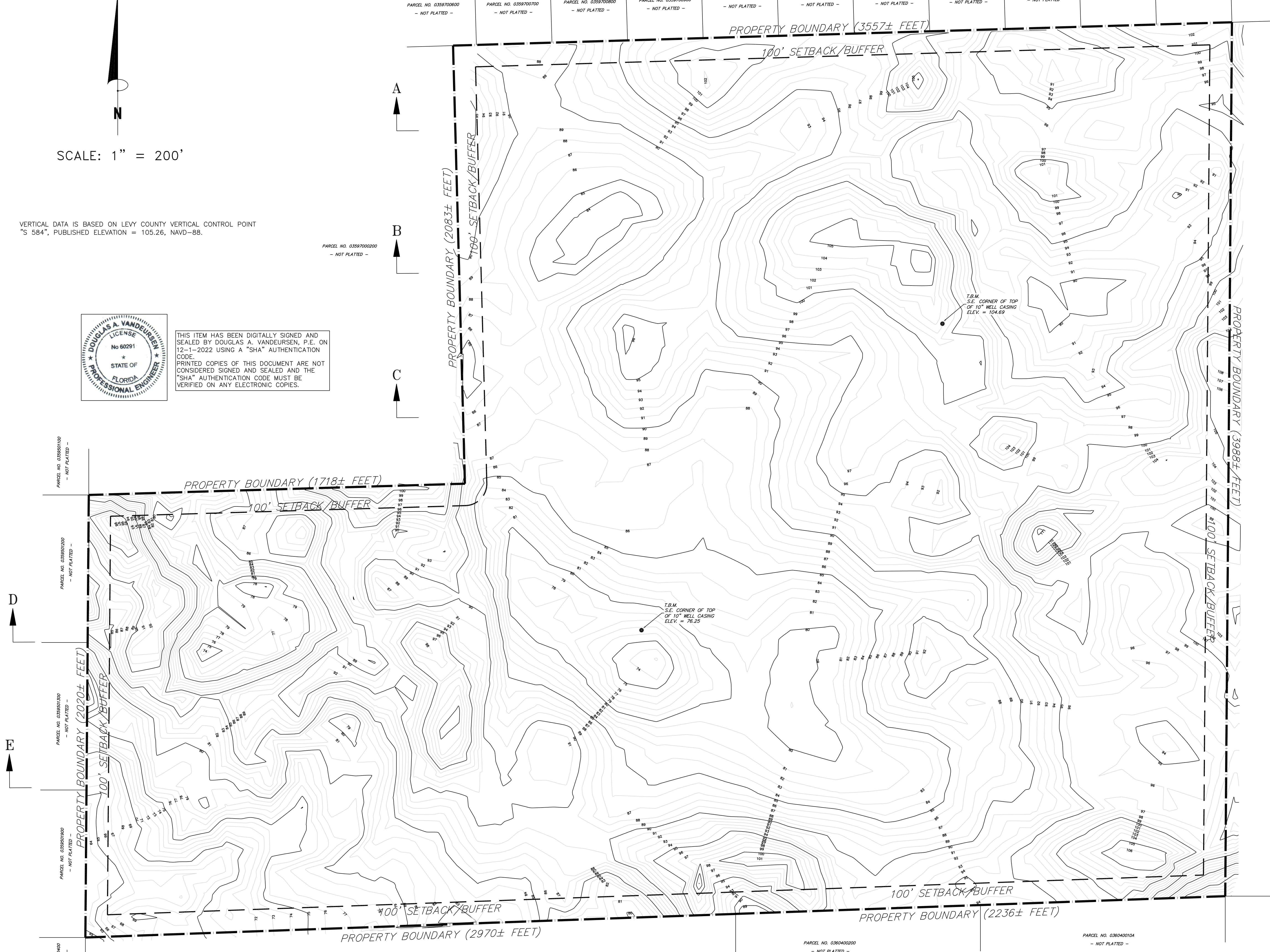
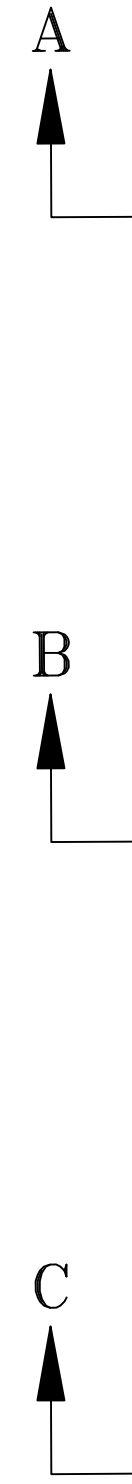
SCALE: 1" = 200'

VERTICAL DATA IS BASED ON LEVY COUNTY VERTICAL CONTROL POINT "S 584", PUBLISHED ELEVATION = 105.26, NAVD-88.

PARCEL NO. 0359700200  
- NOT PLATTED -



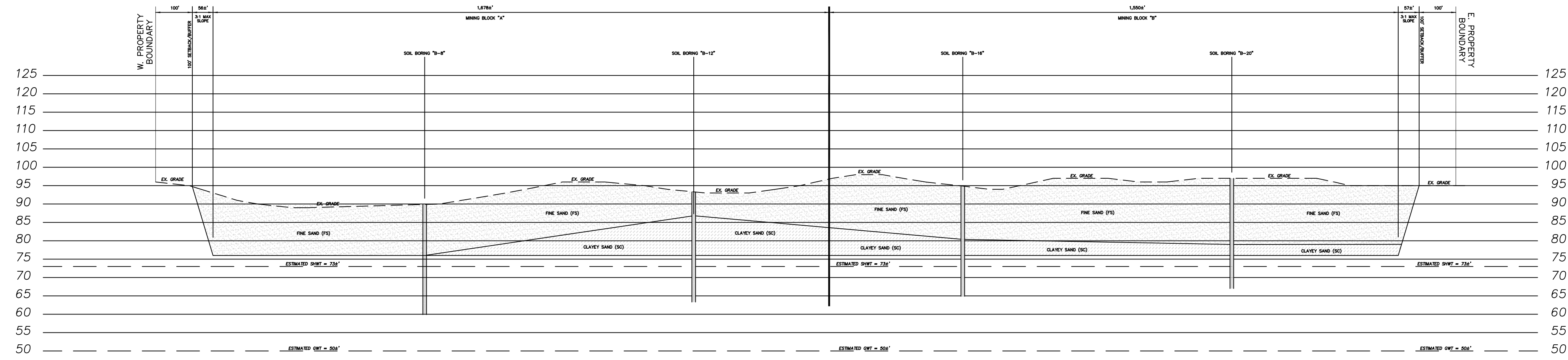
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OCALA, FLORIDA 34478  
P.O. BOX 42  
(352) 624-2068  
FAX (352) 622-6643  
CAN: 9724

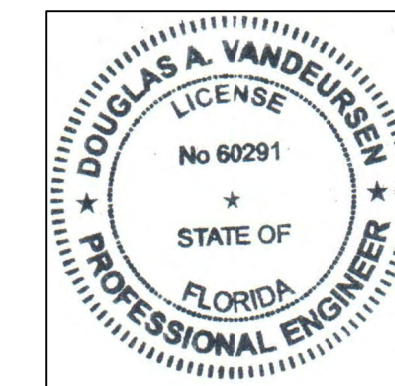
**TOPOGRAPHY MAP**  
3RT SAND MINE  
N.E. 110TH AVENUE  
BRONSON, LEVY COUNTY, FLORIDA

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE
DAV	DAV	01 DEC 22	REVISED PER SWFMD COMMENTS

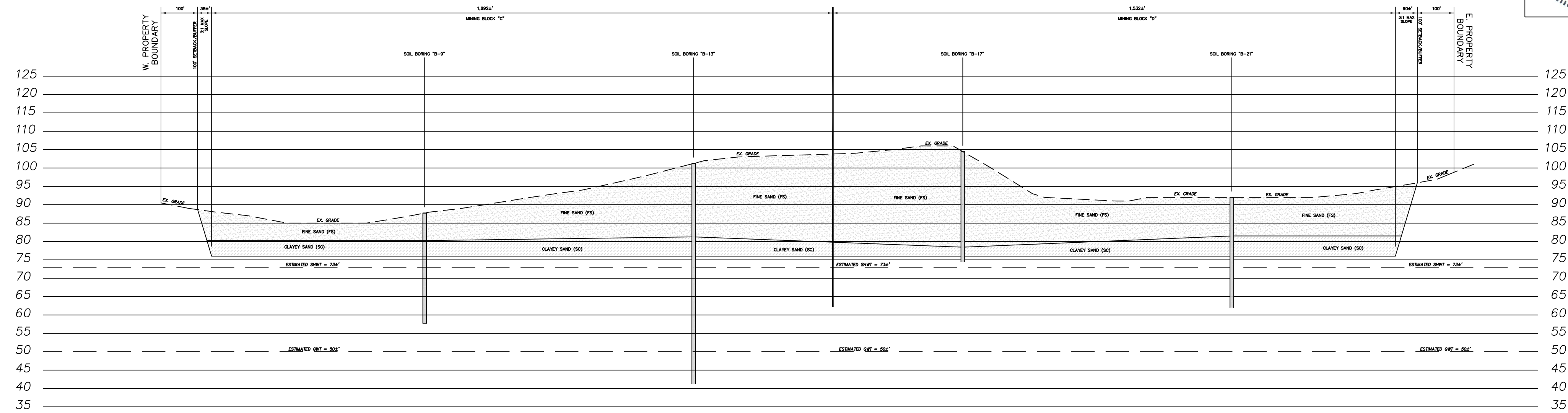


**CROSS SECTION "A - A"**

HORIZONTAL SCALE: 1" = 200 FEET  
VERTICAL SCALE: 1" = 20 FEET

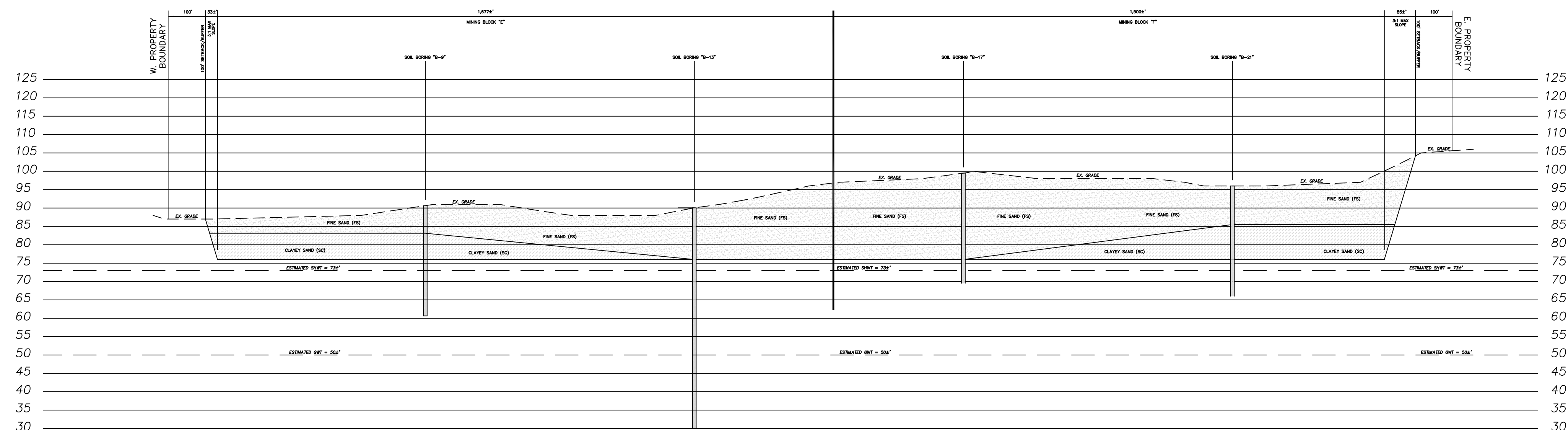


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**CROSS SECTION "B - B"**

HORIZONTAL SCALE: 1" = 200 FEET  
VERTICAL SCALE: 1" = 20 FEET



**CROSS SECTION "C - C"**

HORIZONTAL SCALE: 1" = 200 FEET  
VERTICAL SCALE: 1" = 20 FEET

**DNM ENGINEERING & ASSOCIATES, INC.**

P.O. BOX 42  
(352) 624-2068  
OCALA, FLORIDA 34478  
FAX (352) 622-6643  
CAN: 9724

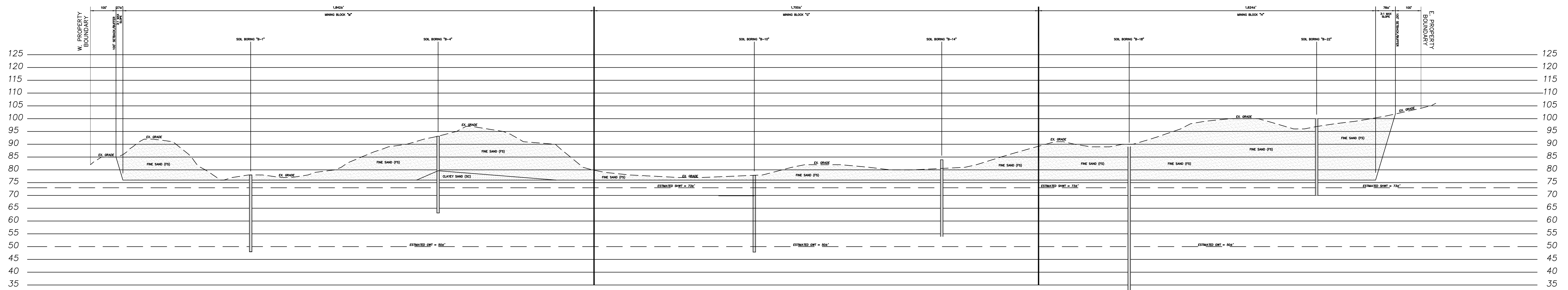
**CROSS SECTIONS**

**3RT SAND MINE**  
**N.E. 110TH AVENUE**  
**BRONSON, LEVY COUNTY, FLORIDA**

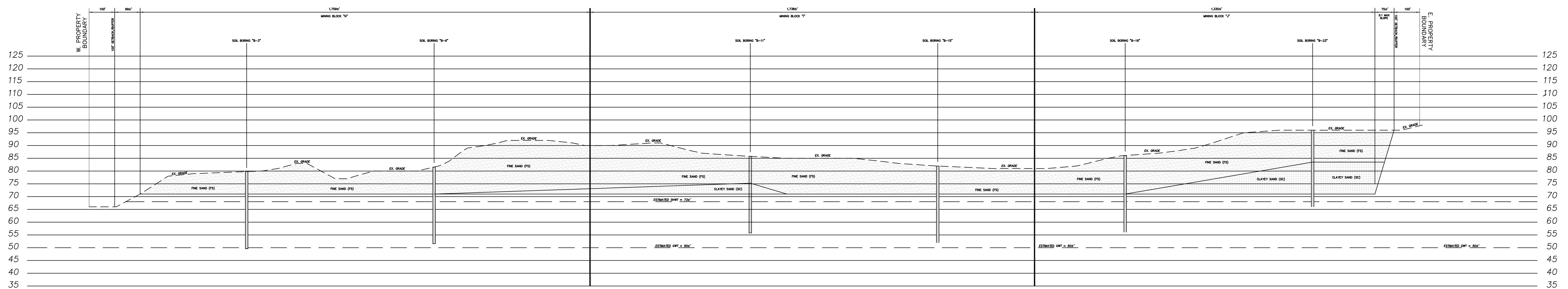
DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE
DAV	DAV	05 DEC 22	REVISED PER SURVEY

Project No. 22-084

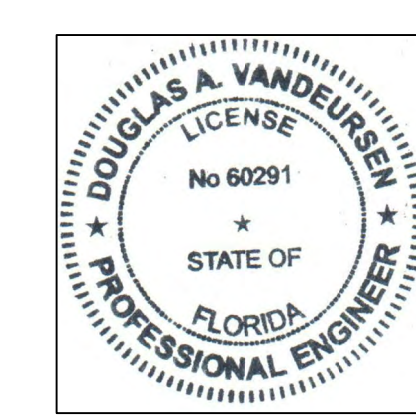




**CROSS SECTION "D - D"**  
 HORIZONTAL SCALE: 1" = 200 FEET  
 VERTICAL SCALE: 1" = 20 FEET



**CROSS SECTION "E - E"**  
 HORIZONTAL SCALE: 1" = 200 FEET  
 VERTICAL SCALE: 1" = 20 FEET



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 P.O. BOX 42  
 (352) 624-2068  
 Ocala, Florida 34478  
 FAX (352) 622-6643  
 CAN: 9724

**CROSS SECTIONS**  
**3RT SAND MINE**  
**N.E. 110TH AVENUE**  
**BRONSON, LEVY COUNTY, FLORIDA**

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE
DAV	DAV	05 DEC 22	REVISED PER SURVEY

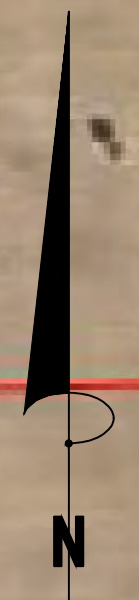
Project No. 22-084

**SM5**

Sheet 7 Of 8



SCALE: 1" = 300'



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 P.O. BOX 42  
 (352) 624-2068  
 OCALA, FLORIDA 34478  
 FAX (352) 622-6643  
 CAN: 9724

**WELL LOCATION MAP**  
 3RT SAND MINE  
 N.E. 110TH AVENUE  
 BRONSON, LEVY COUNTY, FLORIDA

DRN	CHK	DATE	DESCRIPTION
DAV	DAV	13 SEP 22	ORIGINAL ISSUE

Project No. 22-084

**SM6**

Sheet 8 Of 8

LEVY COUNTY DEVELOPMENT DEPARTMENT

EXCAVATION AND FILL PERMIT APPLICATION

This application is to be submitted with the application for a Special Exception Use Permit for Major Mining as required by Levy County Code of Ordinances, Chapter 50, Land Development Code; Article XIII, Zoning; Division 3. District Regulations; Subdivision 2. Requirements for Specific Uses; Section 50-719. II (d).

Excavation and Fill Permit - means the permit required prior to any excavation, fill or extraction of minerals, resources, or natural resources pursuant to Section 50-719.

Filing Date: \_\_\_\_\_ Ex. & Fill Application Number: \_\_\_\_\_

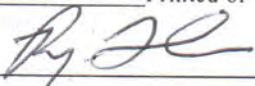
Impact Fee Paid: \_\_\_\_\_ Approved Special Exception No. \_\_\_\_\_

Amount of Surety or Performance Bond: \$ \_\_\_\_\_

Note: The Impact Fee and Surety Bond are not required at the time of the submittal of an application for the review of the Special Exception for the proposed Major Mining operation. The Fee and Bond shall be provided with the request for the Excavation and Fill permit after the Special Exception is approved and all required state and federal permits have been provided.

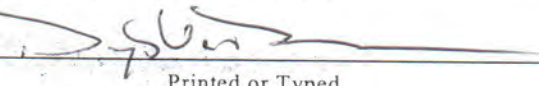
**I. Property Owner/Agent Information:**

Owner's Name: Ryan Thomas & Lee A. Thomas  
\_\_\_\_\_  
Printed or Typed

Owner's Signature:   
\_\_\_\_\_

Address: 11151 N.E. 35th Street Zip Code: 32621  
Bronson, Florida  
\_\_\_\_\_  
Phone # (352) 258-9547

\*\*\*\*\*  
Agent's Name: DOUGLAS VANDEURSEN, P.E.  
\_\_\_\_\_  
Printed or Typed

Agent's Signature:   
\_\_\_\_\_  
Printed or Typed

Address: P.O. Box 42 Zip Code: 34478  
Ocala, FL 34478  
\_\_\_\_\_  
Phone # 352-624-2068

LEVY COUNTY DEVELOPMENT DEPARTMENT

EXCAVATION AND FILL PERMIT APPLICATION

This application is to be submitted with the application for a Special Exception Use Permit for Major Mining as required by Levy County Code of Ordinances, Chapter 50, Land Development Code; Article XIII, Zoning; Division 3. District Regulations; Subdivision 2. Requirements for Specific Uses; Section 50-719. II (d).

Excavation and Fill Permit - means the permit required prior to any excavation, fill or extraction of minerals, resources, or natural resources pursuant to Section 50-719.

Filing Date: \_\_\_\_\_ Ex. & Fill Application Number: \_\_\_\_\_

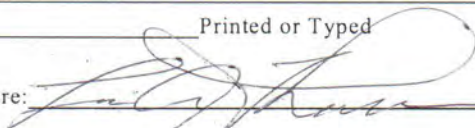
Impact Fee Paid: \_\_\_\_\_ Approved Special Exception No: \_\_\_\_\_

Amount of Surety or Performance Bond: \$ \_\_\_\_\_

Note: The Impact Fee and Surety Bond are not required at the time of the submittal of an application for the review of the Special Exception for the proposed Major Mining operation. The Fee and Bond shall be provided with the request for the Excavation and Fill permit after the Special Exception is approved and all required state and federal permits have been provided.

**I. Property Owner/Agent Information:**

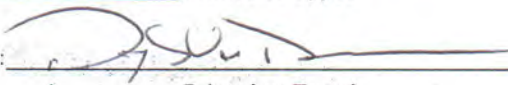
Owner's Name: Ryan Thomas & Lee A. Thomas  
\_\_\_\_\_ Printed or Typed

Owner's Signature:  \_\_\_\_\_

Address: 11151 N.E. 35th Street Zip Code: 32621  
Bronson, Florida

Phone # (352) 258-9547

\*\*\*\*\*  
Agent's Name: DOUGLAS VANDEUSEN, P.F.  
\_\_\_\_\_ Printed or Typed

Agent's Signature:  \_\_\_\_\_  
Printed or Typed

Address: P.O. Box 42 Zip Code: 34478  
Ocala, FL

Phone # (352) 624-2068



**II. Property Information:**

1. Parcel Identification    1) 0359701600                      2) 0359700400                      3) 0359700000                      4) 0359700300

2. Section    35                      ;                      Township    12                      South;                      Range    17                      East;

3. Total Surface Area to be Altered Under This Permit:    400+/-                      Acres

4. Future Land Use Designation:    A/RR                      Zoning District:    A/RR

**\* Attach additional property information as necessary (STRS; Parcel ID Numbers)**  
Please see ATTACHMENT "A" For Ingress/Egress Properties

**III. REQUIRED ATTACHMENTS:**

1. If you are the current property owner, attach a notarized letter of authorization from the owner of the property, corporation or other entity having received approval of the Special Exception Use Permit for Major Mining, authorizing you to act as the owner's agent to apply for the excavation and fill permit.
2. Provide three certified boundary surveys of the tract or parcel that is the subject of any land alterations. Please delineate the mining area if only a portion of the property is to be altered, excavated or filled. Provide the area of the mining area on the survey (in acres, to the tenth).
3. Provide three copies of all required state and federal permits needed for the excavation and/or fill operations. (mining, processing, crushing and washing, sizing, settling ponds, etc.)

These permit approvals may include, but are not limited to the following: an environmental resource permit, general works of the district permit, water consumptive use permit or a permit to develop a stormwater management system from the affected state water management district; permits or letter of sufficiency from the Department of Environmental Protection, Bureau of Mine Reclamation; Army Corps of Engineers; air quality permit from the Environmental Protection Agency, clearance from the Florida Wildlife Conservation Commission or US Fish and Wildlife Commission for the protection of endangered species.

4. Provide the surety or performance bond in the amount required by Section 50-719. II. (D)(14).
5. Provide three maps of the hauling route to be used to haul materials to or from the approved site (must be consistent with the special exception application).

**IV. Site Plan [Consistent with Section 50-719. III. (b)(2) and approved Special Exception]:**

A **site plan** shall be furnished depicting the following:  shape and dimensions of the entire property and delineation of the project area (if a portion of the entire tract),  identify all existing and proposed buildings;  dimensions of buildings and distances of all buildings to property lines,  all streets and easements abutting property,  indicate with a dashed line any water, depressions and sinkholes,  show any storm water management systems and/or water retention areas,  locate and delineate the proposed area to be excavated or filled and identify approximate acreage delineated,  locate and delineate all areas to be used for stock-piles, slurry or settlement ponds, crushing or other processing operations,  show the location of any screening and buffering to be provided.



**V. Description of Work:**

**A description of the work to be performed (excavation, fill or both) shall be provided with the site plan and permit application giving the following information [Section 50-719. III (b)(4)]:**

1. Purpose of the excavation or fill operation.
2. Schedule of expected duration of the operation.
3. Provide a schedule of operating hours.
4. Type of fill to be placed (if applicable).
5. Depth of the excavation or the fill placed.
6. The grade of side slopes associated with an excavation or fill operation. (when applicable)
7. Description of screening, buffering or berms to be utilized.
8. Provide an estimate of truck traffic to be generated by excavation or fill operation.

**APPLICATION REVIEW :**

**The review of the application will be based on the approved special exception application, conditions of approval of the special exception use, if any, and all supporting documents. (Must be consistent with the approval Special Exception Use application)**

**The Levy County staff responsible for review of the Excavation and Fill Permit applications finds the submitted application be:**

- Consistent with Section 50-719 and the approved special exception application.**
- Inconsistent with Section 50-719 and the approved special exception application.**
- Absent all necessary permits or approvals from all affected agencies.**

**Development Director** \_\_\_\_\_ **Date:** \_\_\_\_\_

**County Engineer** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Staff comments, conditions of approval, or deficiencies noted:**

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# LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

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Planning and Zoning Department  
320 Mongo Street  
Bronson, Florida 32621  
Office (352) 486-5203/LCPZ@levycounty.org

## NOTICE OF PUBLIC MEETING FOR THE PETITION OF SPECIAL EXCEPTION

April 12, 2023

**PETITION NO SE 23-01:** Ryan Thomas for 3RT Sand Mine. Requesting a Special Exception for a major mining operation pursuant to Sec. 50-719 Mining and excavation of minerals, resources, or natural resources, and site reclamation of the Levy County Land Development Code to allow a sand mine on approximately 400 acres of land located in Section 35, Township 12 S, Range 17 E, Levy County Florida. These parcels are located in Agriculture/Rural Residential (A/RR) Land Use and Zoning district. Parcel Number(s) 0359701600, 0359700400, 0359700000 and 0359700300.

Dear Property Owner:

This notice has been mailed to you because the proposal for this petition is located on property within two (2) miles of property you own, according to the latest tax roll available. This notice is also provided through advertisements in the Levy County Citizen and other appropriate publications, and signage on the proposed amendment site.

The *Levy County Planning Commission* will hold a PUBLIC HEARING on **Monday, May 1, 2023 at 5:45 pm** in the Levy County Government Center Auditorium, 310 School Street, Bronson, FL.

You are encouraged to attend the above mentioned meeting in order to provide comments to the *Levy County Planning Commission*. If you or your authorized representative cannot be in attendance, you may submit your comments in writing to the Planning and Zoning Department prior to the date of the Public Hearing.

Should you have any questions regarding this petition or the process, contact the Planning and Zoning Department at (352) 486-5203.

Sincerely,

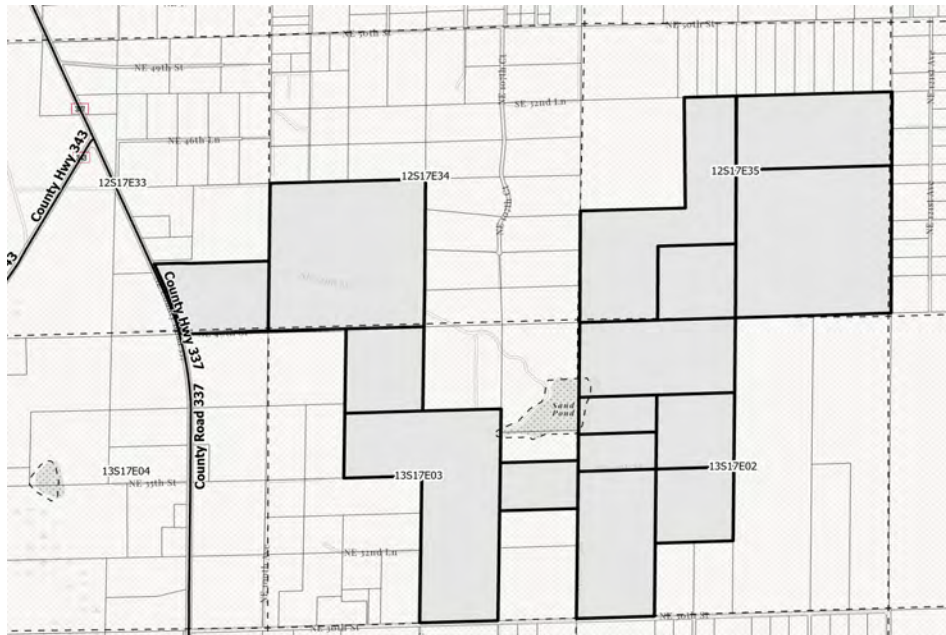
Stacey Hectus  
Planning and Zoning Director

\*To keep informed of any upcoming meetings on this or any other items, please sign up on our website at [www.levycounty.org](http://www.levycounty.org) or go to the direct link to subscribe: <https://meetings.municode.com/subscribe/index?cc=levyfl>

## **NOTICE OF PUBLIC HEARING**

A public hearing on the petition as described below will be conducted by the **Levy County Planning Commission on Monday, July 10, 2023 at 5:45 pm** or as soon thereafter as the matter may be heard during the course of action. Then again by the **Board of Levy County Commission on Tuesday, July 25, 2023 at 9:00 am** or as soon thereafter as the matter may be heard during the course of action. Both hearings will be held in the Levy County Government Center Auditorium, 310 School Street, Bronson, Florida. The Commission is not bound to consider the petitions in the order listed in this notice. Any of these petitions may be considered to be heard as soon as the meeting commences. To keep informed of any upcoming meeting on this or any other items, please sign up on our website at [www.levycounty.org](http://www.levycounty.org) or go to the direct link to subscribe: <https://meetings.municode.com/subscribe/index?cc=levyfl>

**PETITION NO SE 23-01:** Ryan Thomas for 3RT Sand Mine. Requesting a Special Exception for a major mining operation pursuant to Sec. 50-719; Mining and excavation of minerals, or natural resources, and site reclamation of the Levy County Land Development Code to allow a sand mine (no blasting) on approximately 1,100 acres (includes mine property and access to CR 337) of land located in Section 35, Township 12 S, Range 17 E, Levy County Florida. These parcels are located in Agriculture/Rural Residential (A/RR) Land Use and Zoning district. Parcel Number(s) 0359701600, 0359700400, 0359700000, 0359700300, 0360400600, 0360400000, 036040040B, 036040040A, 0360400400, 0360400500, 0360600500, 0360600300, 0360600000, 0359400000, and 0359200000.



Copies of said petitions with complete legal descriptions and subsequent staff reports (if applicable) will be available for review at the Levy County Planning and Zoning Department, 320 Mongo Street Bronson, FL 32621. For information call 352-486-5203. Interested parties may appear at the meeting and be heard regarding the proposed petitions. Any person requiring reasonable accommodations to participate in this meeting should contact the Levy County Commissioners Administration Office at 352-486-5218.

Published June 22, 2023

**DURABLE POWER OF ATTORNEY**

**OF**

**KARLA DIEHM**

I, KARLA DIEHM, with an address of 7400 Harbor Blvd., Miramar, FL 33023, make, constitute and nominate my niece, SUSAN LEBOEUF, whose address is 2200 NE 48 Court, Lighthouse Point, FL 33064, as my agent.

**ARTICLE I**

I hereby give and grant unto my said agent full power and authority to act for me in any lawful way with respect to the powers enumerated in Article II, and to the powers which I have initialed in Article III, of this durable power of attorney.

**ARTICLE II**

My agent is authorized to act for me in my name, place and stead and may exercise any or all of the powers contained in this Article II.

**2.1 Banking and Other Financial Institution Transactions.** With regard to banking and other financial institution transactions, my agent shall have the authority to conduct banking transactions as provided in section 709.2208(1), Florida Statutes.

**2.2 Investment Transactions.** With regard to stock and bond transactions, my agent shall have the authority to conduct investment transactions as provided in section 709.2208(2), Florida Statutes.

**2.3 Real Property Transactions.** With regard to real property transactions, my agent may exercise all of the following powers with regard to any real property I own: (1) convey or mortgage homestead property; (2) accept as a gift or as security for a loan or reject, demand, buy, lease, receive, or otherwise acquire an interest in real property or a right incident to real property; (3) sell, exchange, convey with or without covenants, quitclaim, release, surrender, mortgage, encumber, partition, consent to partitioning, subdivide, apply for zoning, rezoning, or other governmental permits, plat or consent to platting, develop, grant options concerning, lease or sublet, or otherwise dispose of an estate or interest in real property or a right incident to real property; (4) release, assign, satisfy, and enforce by litigation, action, or otherwise a mortgage, deed of trust, encumbrance, lien, or other claim to real property that exists or is claimed to exist; (5) do any act of management or of conservation with respect to an interest in real property, or a right incident to real property, owned or claimed to be owned by me, including power to insure against a casualty, liability, or loss; obtain or regain possession or protect the interest or right by litigation, action, or otherwise; pay, compromise, or contest taxes or assessments or apply for and receive refunds in connection with them; and purchase supplies, hire assistance or labor, or make repairs or alterations in the real property; (6) use, develop, alter, replace, remove, erect, or install

  
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structures or other improvements on real property in which I have or claim to have an estate, interest, or right; (7) participate in a reorganization with respect to real property or a legal entity that owns an interest in or right incident to real property, receive and hold shares of stock or obligations received in a plan or reorganization, and act with respect to the shares or obligations, including selling or otherwise disposing of the shares or obligations; exercising or selling an option, conversion, or similar right with respect to the shares or obligations; and voting the shares or obligations in person or by proxy; (8) change the form of title of an interest in or right incident to real property; and (9) dedicate easements or other real property in which I have or claim to have an interest to public use, with or without consideration.

**2.4 Tangible Personal Property Transactions.** With regard to tangible personal property transactions, my agent may exercise all of the following powers: (1) accept as a gift or as security for a loan, reject, demand, buy, receive, or otherwise acquire ownership or possession of tangible personal property or an interest in tangible personal property; (2) sell, exchange, convey with or without covenants, release, surrender, mortgage, encumber, pledge, hypothecate, create a security interest in, pawn, grant options concerning, lease or sublet to others, or otherwise dispose of tangible personal property or an interest in tangible personal property; (3) release, assign, satisfy, or enforce by litigation, action, or otherwise a mortgage, security interest, encumbrance, lien, or other claim on my behalf, with respect to tangible personal property or an interest in tangible personal property; and (4) do an act of management or conservation with respect to tangible personal property or an interest in tangible personal property on my behalf, including insuring against casualty, liability, or loss; obtaining or regaining possession or protecting the property or interest by litigation, action, or otherwise; paying, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with taxes or assessments; moving from place to place; storing for hire or on a gratuitous bailment; and using, altering, and making repairs or alterations.

**2.5 Business Operation Transactions.** With regard to business operation transactions, my agent may exercise all of the following powers: (1) operate, buy, sell, enlarge, reduce, or terminate a business interest; (2) to the extent that my agent is permitted by law, to perform a duty or discharge a liability or exercise a right, power, privilege, or option that I have, may have, or claim to have under a partnership agreement, whether or not I am a general or limited partner; (3) to the extent that my agent is permitted by law, to enforce the terms of a partnership agreement by litigation, action, or otherwise; (4) to the extent that my agent is permitted by law, to defend, submit to arbitration, settle, or compromise litigation or an action to which I am a party because of membership in the partnership; (5) exercise in person or by proxy or enforce by litigation, action, or otherwise a right, power, privilege, or option I have or claim to have as the holder of a bond, share, or other instrument of similar character and defend, submit to arbitration, settle, or compromise a legal proceeding to which I am a party because of a bond, share, or similar instrument; (6) with respect to any business owned solely by me, continue, modify, renegotiate, extend, and terminate a contract made with any individual or legal entity, firm, association, or corporation by or on my behalf with respect to the business before execution of the power of attorney; (7) with respect to any business owned solely by me, to determine the location of its operation; the nature and extent of its business; the methods of manufacturing, selling, merchandising, financing, accounting, and advertising employed in its operation; the amount and types of insurance carried; and the mode of engaging, compensating, and dealing

with its accountants, attorneys, and other agents and employees; (8) with respect to any business owned solely by me, to change the name or form of organization under which the business is operated and enter into a partnership agreement with other persons or organize a corporation to take over all or part of the operation of the business; (9) with respect to any business owned solely by me, to demand and receive money due or claimed by me or on my behalf in the operation of the business and control and disburse the money in the operation of the business; (10) put additional capital into a business in which I have an interest; (11) join in a plan of reorganization, consolidation, or merger of the business; (12) sell or liquidate a business or part of it at the time and on the terms that my agent considers desirable; (13) establish the value of a business under a buy-out agreement to which I am a party; (14) prepare, sign, file, and deliver reports, compilations of information, returns, or other papers with respect to a business that are required by a governmental agency, department, or instrumentality or that my agent considers desirable and make related payments; and (15) pay, compromise, or contest taxes or assessments and do any other act that my agent considers desirable to protect me from illegal or unnecessary taxation, fines, penalties, or assessments with respect to a business, including attempts to recover, in any manner permitted by law, money paid before or after the execution of the power of attorney.

**2.6 Insurance Transactions.** With regard to insurance transactions, my agent may exercise all of the following powers: (1) continue, pay the premium or assessment on, modify, rescind, release, or terminate a contract procured by or on my behalf that insures or provides an annuity to either me or another person, whether or not I am a beneficiary under the contract; (2) procure new, different, or additional contracts of insurance and annuities for me or my spouse, children, and other dependents and select the amount, type of insurance or annuity, and mode of payment; (3) pay the premium or assessment on or modify, rescind, release, or terminate a contract of insurance or annuity procured by my agent; (4) apply for and receive a loan on the security of the contract of insurance or annuity; (5) surrender and receive the cash surrender value of a contract of insurance or annuity; (6) exercise an election; (7) change the manner of paying premiums; (8) change or convert the type of insurance contract or annuity with respect to which I have or claim to have a power described in this section; (9) apply for and procure government aid to guarantee or pay premiums of a contract of insurance on my life; (10) collect, sell, assign, hypothecate, borrow on, or pledge my interest in a contract of insurance or annuity; and (11) pay from proceeds or otherwise, compromise or contest, or apply for refunds in connection with a tax or assessment levied by a taxing authority with respect to a contract of insurance or annuity or its proceeds or liability accruing because of the tax or assessment.

**2.7 Estate, Trust, and Other Beneficiary Transactions.** With regard to estate, trust, and other beneficiary transactions, my agent may act for me in all matters that affect a trust, probate estate, guardianship, conservatorship, escrow, custodianship, or other fund from which I am, may become, or claim to be entitled, as a beneficiary, to a share or payment, including to: (1) accept, reject, receive, receipt for, sell, assign, release, pledge, exchange, or consent to a reduction in or modification of a share in or payment from the fund; (2) demand or obtain by litigation, action, or otherwise money or any other thing of value to which I am, may become, or claim to be entitled because of the fund; (3) initiate, participate in, or oppose a legal or judicial proceeding to ascertain the meaning, validity, or effect of a deed, will, declaration of trust, or other instrument or transaction affecting my interest; (4) initiate, participate in, or oppose a legal

or judicial proceeding to remove, substitute, or surcharge a fiduciary; (5) conserve, invest, disburse, or use anything received for an authorized purpose; and (6) transfer all or part of my interest in real property, stocks, bonds, accounts with financial institutions, insurance, and other property to the trustee of a revocable trust created by me as settlor.

**2.8 Claims and Litigation.** With regard to claims and litigation, my agent has the power to: (1) assert and prosecute before a court or administrative agency a claim, a claim for relief, a counterclaim, or an offset or defend against an individual, a legal entity, or a government, including suits to recover property or other thing of value, to recover damages sustained by me, to eliminate or modify tax liability, or to seek an injunction, specific performance, or other relief; (2) bring an action to determine adverse claims, intervene in an action or litigation, and act as amicus curiae; (3) in connection with an action or litigation, procure an attachment, garnishment, libel, order of arrest, or other preliminary, provisional, or intermediate relief and use an available procedure to effect or satisfy a judgment, order, or decree; (4) in connection with an action or litigation, perform any lawful act I could perform, including acceptance of tender, offer of judgment, admission of facts, submission of a controversy on an agreed statement of facts, consent to examination before trial, and binding of me in litigation; (5) submit to arbitration, settle, and propose or accept a compromise with respect to a claim or litigation; (6) waive the issuance and service of process on me, accept service of process, appear for me, designate persons on whom process directed to me may be served, execute and file or deliver stipulations on my behalf, verify pleadings, seek appellate review, procure and give surety and indemnity bonds, contract and pay for the preparation and printing of records and briefs, or receive and execute and file or deliver a consent, waiver, release, confession of judgment, satisfaction of judgment, notice, agreement, or other instrument in connection with the prosecution, settlement, or defense of a claim or litigation; (7) act for me with respect to bankruptcy or insolvency proceedings, whether voluntary or involuntary, concerning me or some other person, with respect to a reorganization proceeding or a receivership or application for the appointment of a receiver or trustee that affects my interest in real or personal property or other thing of value; and (8) pay a judgment against me or a settlement made in connection with a claim or litigation and receive and conserve money or other thing of value paid in settlement of or as proceeds of a claim or litigation.

**2.9 Personal and Family Maintenance.** With regard to personal and family maintenance, my agent may exercise all of the following powers: (1) perform the acts necessary to maintain the customary standard of living of me and other individuals customarily or legally entitled to be supported by me, including providing living quarters by purchase, lease, or other contract, or paying the operating costs, including interest, amortization payments, repairs, and taxes on premises owned by me and occupied by those individuals; (2) provide for the individuals described by Subsection (1) of this section normal domestic help, usual vacations and travel expenses, and funds for shelter, clothing, food, appropriate education, and other current living costs; (3) pay necessary medical, dental, and surgical care, hospitalization, and custodial care for the individuals described by Subsection (1) of this section; (4) continue any provision made by me for the individuals described by Subsection (1) of this section, for automobiles or other means of transportation, including registering, licensing, insuring, and replacing the automobiles or other means of transportation; (5) maintain or open charge accounts for the convenience of the individuals described by Subsection (1) of this section and open new



accounts that my agent considers desirable to accomplish a lawful purpose; and (6) continue payments incidental to my membership or affiliation in a church, club, society, order, or other organization or to continue contributions to those organizations.

**2.10 Benefits From Certain Governmental Programs or Civil or Military Service.**

With regard to benefits from social security, Medicare, Medicaid, or other governmental programs or civil or military service, my agent has the power to: (1) execute vouchers in my name for allowances and reimbursements payable by the United States, a foreign government, or a state or subdivision of a state to me, including allowances and reimbursements for transportation of the individuals described by Section 2.09(1) of this durable power of attorney, and for shipment of their household effects; (2) take possession and order the removal and shipment of my property from a post, warehouse, depot, dock, or other place of storage or safekeeping, either governmental or private, and execute and deliver a release, voucher, receipt, bill of lading, shipping ticket, certificate, or other instrument for that purpose; (3) prepare, file, and prosecute a claim to a benefit or assistance, financial or otherwise, to which I claim to be entitled under a statute or governmental regulation; (4) prosecute, defend, submit to arbitration, settle, and propose or accept a compromise with respect to any benefits I may be entitled to receive; and (5) receive the financial proceeds of a claim of the type described in this Section 2.10 of this durable power of attorney and conserve, invest, disburse, or use anything received for a lawful purpose.

**2.11 Retirement Plan Transactions.** With regard to retirement plan transactions, my agent may exercise all of the following powers: (1) apply for service or disability retirement benefits; (2) select payment options under any retirement plan in which I participate, including plans for self-employed individuals; (3) make voluntary contributions to retirement plans if authorized by the plan; (4) exercise the investment powers available under any self-directed retirement plan; (5) make "rollovers" of plan benefits into other retirement plans; (6) borrow from, sell assets to, and purchase assets from retirement plans if authorized by the plan; (7) receive, endorse, and cash payments from a retirement plan; and (8) request and receive information relating to me and my retirement plan records.

**2.12 Tax Matters.** With regard to tax matters, my agent may exercise all of the following powers: (1) prepare, sign, and file federal, state, local, and foreign income, gift, payroll, Federal Insurance Contributions Act, and other tax returns, claims for refunds, requests for extension of time, petitions regarding tax matters, and any other tax-related documents, including receipts, offers, waivers, consents, including consents and agreements under Section 2032A of the Internal Revenue Code of 1986, as amended, (the "Code"), closing agreements, and any power of attorney form required by the Internal Revenue Service or other taxing authority with respect to a tax year on which the statute of limitations has not run and 25 tax years following that tax year; (2) pay taxes due, collect refunds, post bonds, receive confidential information, and contest deficiencies determined by the Internal Revenue Service or other taxing authority; (3) exercise any election available to me under federal, state, local, or foreign tax law; (4) act for me in all tax matters for all periods before the Internal Revenue Service and any other taxing authority; and (5) represent me, and appoint an agent or agents to represent me, before the Internal Revenue Service or any State or other taxing authority by completing, signing, and submitting IRS Form 2848 or any other governmental form.



**2.13 Existing and Foreign Interests.** The powers described in Article II of this durable power of attorney may be exercised equally with respect to an interest I have at the time this durable power of attorney is executed or an interest which I acquire later, whether or not the interest is located in Florida and whether or not the powers are exercised or the durable power of attorney is executed in Florida.

**2.14 Digital Assets.** To access, use, and control my digital devices, including without limitation, desktops, laptops, peripherals, storage devices, mobile telephones, smartphones, and any similar device which currently exists or exist in the future as technology develops for the purpose of accessing, modifying, deleting, controlling, or transferring my digital assets, and to access, take control of, conduct, continue, or terminate any of my accounts, on any website, including any social networking site, photo-sharing site, microblogging, or short message service website, or any email service website. All such websites may release my log on credentials, including username and password, to my agent and said website shall be indemnified and held harmless for any damages, causes of action claims, that may arise from this disclosure. My agent shall not delegate this power to any agent or other third party.

**ARTICLE III**

My agent is authorized to perform the following specific acts for me if I have initialed the specific authority listed below:

**Initial:**

**Power to Make Annual Exclusion Gifts.** I grant to my agent the power to make gifts (outright, in trust, or otherwise) of any of my property to or to pay amounts on behalf of any person in an amount per donee which qualifies for the Federal gift tax annual exclusion under Section 2503(b) of the Internal Revenue Code of 1986, as amended.

**Power to Make Additional Gifts.** I further grant to my agent the power to make gifts (outright, in trust, or otherwise) of any of my property up to the entirety thereof to or to any charitable organization to which deductible gifts may be made under the income and gift tax provisions of the Internal Revenue Code of 1986, as amended if, in the opinion of my agent, such gifts would reduce income, estate, generation skipping transfer or state inheritance taxes. Such gifts or amounts paid shall include those which are excludible under Section 2503(b) or Section 2503(e) of the Internal Revenue Code of 1986, as amended, or those to which the split gift provisions of Section 2513 of the Internal Revenue Code of 1986, as amended, are expected to apply. Nothing herein shall be construed to require any court action whatsoever prior to making such gifts, nor to restrict such gifts to a situation in which it must be determined that I will remain incapacitated for the remainder of my lifetime. Notwithstanding the foregoing, the gifts made by a person who is serving as my agent under this instrument to himself or herself shall

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not exceed in the aggregate for any calendar year the greater of five thousand dollars (\$5,000) or five percent (5%) of the fair market value of my estate (for U.S. gift tax purposes) as of December 31st of such calendar year; provided, however, if my agent is making gifts authorized by the following paragraph of this power of attorney in order to obtain or maintain eligibility for public health care benefits, then these limitations shall not apply.

**Power to Make Gifts to Qualify for Public Benefits.** If my agent in my agent's sole discretion has determined that I need nursing home or other long-term medical care and that I will receive proper medical care whether I privately pay for such care or if I am a recipient of Title XIX (Medicaid) or other public benefits, then my agent shall have the power: (i) to take any and all steps necessary, in my agent's judgment, to obtain and maintain my eligibility for any and all public benefits and entitlement programs, including, if necessary, creating and funding a qualified income trust or special needs trust for me or a disabled child, if any; (ii) to transfer with or without consideration my assets to my descendants (if any), or to my natural heirs at law or to the persons named as beneficiaries under my last will and testament or a revocable living trust which I may have established, including my agent; and (iii) to enter into a personal services contract for my benefit, including entering into such contract with my agent, and even if doing so may be considered self-dealing. Such public benefits and entitlement programs shall include, but are not limited to, Social Security, Supplemental Security Income, Medicare, Medicaid and Veterans benefits.

**ARTICLE IV**

Notwithstanding any provision herein to the contrary, any authority granted to my agent shall be limited so as to prevent this durable power of attorney from causing my agent to be taxed on my income (unless my agent is my spouse) and from causing my assets to be subject to a general power of appointment by my agent, as that term is defined in Section 2041 of the Code.

**ARTICLE V**

Any act or thing lawfully done hereunder by my said agent shall be binding on myself and my heirs, legal and personal representatives, and assigns, provided, however, that all business transacted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by my said agent for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my said agent and the designation "Agent."

**ARTICLE VI**

Any third party may transact any matter with my agent in the same manner and to the

  
KD



same extent as the third party would transact such matter with me. Third parties who act in reliance upon the representations of my agent shall be held harmless by me, my estate, the beneficiaries of my estate, or joint owners of property from any loss suffered or liability incurred as a result of actions taken prior to receipt of written notice of revocation, suspension, notice of a petition to determine incapacity, partial or complete termination, or my death. Any third party may rely upon a copy of this durable power of attorney certified by my agent to be a true copy of the original hereof, as fully as if such third party had received an original of this durable power of attorney.

#### ARTICLE VII

My agent shall not be liable for any acts or decisions made in good faith and in conformity with the powers enumerated in this durable power of attorney. However, my agent shall not be relieved from liability for breach of duty committed dishonestly, with improper motive, or with reckless indifference to me or the purposes of this durable power of attorney.

#### ARTICLE VIII

My agent shall have the power to pay a reasonable fee from my estate to each agent who is a qualified agent as defined in Section 709.2112(4), Florida Statutes as compensation for services rendered under this durable power of attorney in an amount which does not exceed the customary and prevailing charges for services of a similar character at the time and place such services are performed. My agent shall also be entitled to reimbursement of expenses reasonably incurred on my behalf.

#### ARTICLE IX

I hereby revoke all prior general powers of attorney executed by me. However, I do not hereby revoke any powers of attorney I have previously executed for a limited or specific purpose, or powers of attorney I have executed as part of a contract for the management of any bank or brokerage account. If I desire to revoke any such prior limited or specific power of attorney, I will execute a revocation specifically referring to the power of attorney to be revoked.

#### ARTICLE X

This durable power of attorney is not terminated by subsequent incapacity of the principal except as provided in chapter 709, Florida Statutes. This durable power of attorney shall terminate by one or more of the following circumstances:

- (1) My death;
- (2) The death or deaths of all agents named in the first paragraph of this durable power of attorney; or

  
KD





## Levy Planning

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**From:** Miguel A. Marrero <marreronievesmiguel@gmail.com>  
**Sent:** Friday, April 21, 2023 9:11 PM  
**To:** Stacey Hectus  
**Cc:** Levy Planning; Levy Planning Zoning  
**Subject:** PETITION NO SE 23-01

April 21, 2023

PETITION NO SE 23-01

I strongly oppose the exemption of SE 23-01 of allowing mining near my property, both due to harm to my property values as well as the lack of fairness because this is a violation of the rules.

Marrero Miguel A and Carmen  
26-12-17 0005.00 ACRES  
E1/2 OF NE1/4 OF SE1/4 OF  
NW1/4 OR BOOK 462 PAGE 418

NOTE: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

April 23, 2023

Levy County Planning and Zoning Department  
320 Mongo Street  
Bronson, FL 32621

TO WHOM IT MAY CONCERN:

This letter is written in **opposition** to Petition SE 23-01: Ryan Thomas for 3RT Sand Mine.

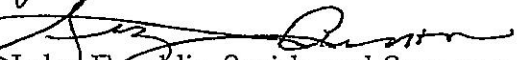
Top two concerns:

1. **Environmental impact** – destroy vegetation and deforestation, cause erosion, endanger animal habitats and pollute water sources. This is just a small list of environmental impacts, especially with an area as large as 400 acres.
2. **Personal and neighbor impact** – noise level of large trucks constantly running, dust and dirt into homes and neighborhoods, damage to our small road that will cost the county more money due to all the large trucks.

I am sure there are many more areas of concern but these two come to the forefront of my mind when I think about a mining operation of that size in a small residential area.

Please consider the environmental impacts as paramount; it is very difficult to unring that bell once the damage is done in our small, wonderful, protected part of Florida. And, as many of we natives know naturally beautiful areas like Bronson are becoming a rarity.

Thank you,



John Franklin Smith and Suzanne Arnow  
5050 NE 101 Avenue  
Bronson, FL  
(813) 920-7147 – home  
(813) 205-3802 – cell

April 19, 2023

## Levy County Planning Commission

As a property owner & resident of 5450 NE 110 Ave  
Bronson, Fl. 32621. I object to petition  
for special Exception of Ryan Thomas  
Sand mine being granted for mining &  
excavation of any mining of minerals resources  
or natural resources.

This is a beginning of reducing natural  
resources of our rural community. God  
granted us these trees & nature to keep  
us safe.

This objection is not to grant this  
company to grant permissions to mine  
for gains.

This letter is being comments on May 1, meeting.

Iba Theresa McFarland  
5450 NE 110 Ave  
Bronson, Fl 32621  
352-215-6674





# QUEST TRUST C O M P A N Y

April 18, 2023

To Whom It May Concern:

The enclosed documents were recently received by our office; however, we are unable to identify which of our clients this is for.

If this document is for a Quest Trust Company client, we ask that the vesting for our clients read as:

*Quest Trust Company FBO (client's name) IRA # (client's IRA number)*

If you could help us to identify either our clients name or account number, that would be very much appreciated.

If you have any questions, please contact the Logistics Department.

**Quest Trust Company**  
Logistics Department  
[Logistics@QuestTrust.com](mailto:Logistics@QuestTrust.com)  
Phone: 800-320-5950  
Fax: 281-646-9701

**QUEST TRUST COMPANY CORPORATE OFFICE**

17171 PARK ROW SUITE 100  
HOUSTON, TX 77084

**WWW.QUESTTRUST.COM**

(855) FUN-IRAS  
(855) 386 - 472

#5

## Levy Planning

**From:** Levy Planning Zoning  
**Sent:** Wednesday, April 26, 2023 2:12 PM  
**To:** Levy Planning  
**Subject:** FW: Petition of Special Exception for 3RT Sand Mine

For the record and to go into Municode.

Nicki Bailey

Planner I

Levy County Planning and Zoning Department

*Please email before coming into the office, with a shortage in staffing, our office hours may be altered.*

**LAND DIVISION OR COMPLEX USE INQUIRIES REQUIRE AN APPOINTMENT.**

If in a subdivision, please check Deed Restrictions/Covenants with the Clerk of Courts: 352-486-5266 or [levyclerk.com](http://levyclerk.com).

To sign up for commissioner meeting updates, please visit [MunicodeMeetings Publish Documents Subscribe Page](#).



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**From:** Linda Klock <linda5klock@gmail.com>  
**Sent:** Wednesday, April 26, 2023 2:03 PM  
**To:** Levy Planning Zoning <LCPZ@levycounty.org>  
**Subject:** Petition of Special Exception for 3RT Sand Mine

To: Levy County  
Board of County Commissioners

RE: Notice of Public Meeting for Petition of Special exception for Petition No SE 23-01



Dear Sirs:

I live within 2 miles of parcel #'s 0359701600, 0359700400, 0359700000 and 0359700300.

My main concern over the sand mines is the lowering of our water table.

It would be a terrible thing to have established well levels drop in the area causing all of us to have the well companies come out and drop our pumps lower. IF it is possible to do in our individual wells. Digging huge pits for the water to drain to is how south Florida makes higher, drier land for development. I'm sure it'll do the same thing up here.

The secondary concern is noise pollution, of course. Our peaceful agricultural atmosphere with horse farms, crops and cattle would suffer. Already, we have the largest dump trucks running one behind the other, great clouds of dust on occasion and beep-beep-beeping going on from whatever is going on in that direction. Sometimes all night long. My neighbors and I committed: Are they operating illegally now? And trying to cover their tracks? Why do they operate at night? What is all that heavy work going on at all hours? It has suddenly stopped. Makes us go "hmm" and then we get the notice of petition of special exception. Hmmm.

Road stress due to heavy loads travelling nonstop, one after the other would cause higher road tax? To keep our roads passable for us. Our taxes go up then? To pay for the damage their dump trucks cause? That isn't going to go over well with crop growers, ranchers and horse farmers.

As a tax payer and lover of Levy County, please deny this harvesting of peace, tranquility and assault on our water table levels as well as promised rise in road taxes to pay for the road damage.

Linda Klock

3431 NE 100<sup>th</sup> Ave.

Bronson, Fl 32621

850-866-8199

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Vicki Wilson [REDACTED]

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**Planning and zoning dept Petition No SE23-01**

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Vicki Wilson [REDACTED]

Fri, Apr 21, 2023 at 4:55 PM

To: Vicki Wilson [REDACTED]

We have received notice for special exception for major mining operation requested by Ryan Thomas.

We bought our property in 1999 and at that time the parcels subject for discussion were Dean properties with A/RR zoning ..Same as us. This was an important factor in our purchase.

The current request for exception is not acceptable. This is an attempt to change a rural residential area into a commercial property that would only benefit one party.  
This is not acceptable.

Sand mining is not a friendly neighbor. How would it affect our aquifer? Our peaceful country side?

There are three veterans organizations in our area. If explosives are used how are those with post traumatic stress disorder going to handle it?  
This is also a sandhill/scrub area which has specific floral and wildlife.

Traffic, (commercial equipment) noise, and water/well contamination are all reasons to not allow this business.

I do not believe a new owner has the right to push the current zoning regulations because they do not fit their purpose.  
No exceptions should be made.

Vicki and Dennis Wilson  
127th court



# LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

Planning and Zoning Department  
320 Mongo Street  
Bronson, Florida 32621  
Office (352) 486-5203/LCPZ@levycounty.org

## NOTICE OF PUBLIC MEETING FOR THE PETITION OF SPECIAL EXCEPTION

April 12, 2023

**PETITION NO SE 23-01:** Ryan Thomas for 3RT Sand Mine. Requesting a Special Exception for a major mining operation pursuant to Sec. 50-719 Mining and excavation of minerals, resources, or natural resources, and site reclamation of the Levy County Land Development Code to allow a sand mine on approximately 400 acres of land located in Section 35, Township 12 S, Range 17 E, Levy County Florida. These parcels are located in Agriculture/Rural Residential (A/RR) Land Use and Zoning district. Parcel Number(s) 0359701600, 0359700400, 0359700000 and 0359700300.


Dear Property Owner:

This notice has been mailed to you because the proposal for this petition is located on property within two (2) miles of property you own, according to the latest tax roll available. This notice is also provided through advertisements in the Levy County Citizen and other appropriate publications, and signage on the proposed amendment site.

The *Levy County Planning Commission* will hold a PUBLIC HEARING on **Monday, May 1, 2023 at 5:45 pm** in the Levy County Government Center Auditorium, 310 School Street, Bronson, FL.

You are encouraged to attend the above mentioned meeting in order to provide comments to the *Levy County Planning Commission*. If you or your authorized representative cannot be in attendance, you may submit your comments in writing to the Planning and Zoning Department prior to the date of the Public Hearing.

Should you have any questions regarding this petition or the process, contact the Planning and Zoning Department at (352) 486-5203.

Sincerely,  
  
Stacey Hectus  
Planning and Zoning Director

*I oppose ANY location of sand pit or gravel pit within 4 miles of my Property. Please!*

*Zosky Mahan  
23-12-17- Oak Ridge Estates  
lot 1 Block 68  
Oak Ridge Estates*

\*To keep informed of any upcoming meetings on this or any other items, please sign up on our website at [www.levycounty.org](http://www.levycounty.org) or go to the direct link to subscribe: <https://meetings.municode.com/subscribe/index?cc=levyfl>

1/23/2023

Dear Stacey Hectors,

Receiving your letter of April 12 was beyond disturbing - to say the least.

This request for a mining operation is just plain wrong.

Over air, road, noise & light pollution will go beyond all tolerance.

Water table is only 30 ft. down. We are on well water here - THIS SHOULD NOT BE ALLOWED!

That machinery makes dust or racket - THE DECIBEL LEVEL WILL EXCEED & GO OVER LIMITS.

The silica dust flying around creates so cancer causing fumes - THAT WILL CAUSE HEALTH ISSUES

Traveling 27 will be so noisy that it will be unbearable.

up. THE TRUCKS ARE HUGE - AND THEY CAUSE A LOT OF ACCIDENTS - A LOT!

I lived in Key Largo for 2 yrs. -; And I experienced all the "JOY" of their operation while driving to run from Glades City to work.

You do not want ~~me~~ RYAN THOMAS to do this in any way. Shop, farm, or index!

PLEASE DO NOT ALLOW THIS TO HAPPEN. MY 1ST HOME, BOUGHT AND PAID FOR - MY RETIREMENT HOME - PLEASE STOP THIS FROM TAKING AWAY ALL I WORKED FOR.

Stacey,

Susan J Wood



Susan Wood  
5311 N.E. 133rd Ave.  
Williston, FL 32696-6072

Dear Planning and Zoning Commission,

I am writing in response to the letter I received of the proposed 3RT Sand Mine located in Section 35, Township 12 S, Range 17 E in Levy County Florida.

I would like to urge you to deny this Special Exemption. I am a life long Floridan and have seen many changes over the years. Bronson has been my home for over 5 years now and I love the peace and quiet that it offers. This proposed Sand Mine is very close to my home and I fear that I will hear constant heavy equipment all day long. I also fear the heavy dump truck traffic just a few short blocks from me, not to mention CR337, 27 and 102. How much extra damage would this cause to our roads? This Sand Mine would be a burden and a constant nuisance for those of us that live near by.

I would kindly request that you vote against this Special Exemption.

Thank you,

Shane Kinkead  
5251 NE 103rd Terrace  
Bronson, Florida 32621



Dear Planning and Zoning Commission,

I am writing in response to the letter I received of the proposed 3RT Sand Mine located in Section 35, Township 12 S, Range 17 E in Levy County Florida.

I urge you to deny this Special Exemption request. As a life long 6<sup>th</sup> Generation Floridian from Pinellas County, I have seen the exponential growth that can occur. Levy County has been my home for over 12 years now and I am starting to see the same growth I once saw in Pinellas County in the 1980's. Pinellas County is now miserable and unrecognizable, I am fortunate that I was able to leave it for the peace and quiet Bronson and Levy County offer. I fear that this Mine will greatly disturb that peace and quiet and further the development of our area. Large equipment and the constant dump truck traffic would be devastating to our local farms, residences and roads.

Let's keep Bronson and Levy County Beautiful.

Thank you,

Matthew Leo Scott  
9690 NE 35<sup>th</sup> Street  
Bronson, Florida 32621

Mailing Address:  
Matthew Leo Scott  
P.O. Box 1463  
Bronson, Florida 32621

A handwritten signature in black ink, appearing to read "Matthew Leo Scott", with a long horizontal flourish extending to the right.



April 20<sup>th</sup> 2023

Attention Levy County Planning Commission,

It is ludicrous to plan a Major Mining Operation so near Public Housing!

I own property right near this area and I am very upset with this situation. What are you ALL thinking, this plan is WRONG!

Don't let this happen!!

Ellen Nussbaum (property owner Levy County)

## Levy Planning

**From:** Ali Tretheway  
**Sent:** Monday, May 1, 2023 8:39 AM  
**To:** Levy County Commission District 1; Levy County Commission District 2; Levy County Commission District 3; Levy County Commission District 4; Levy County Commission District 5  
**Cc:** Stacey Hectus; Wilbur Dean; Levy Planning  
**Subject:** FW: Public Comment Form

Please see the below public comment for the Planning Commission meeting tonight.

Alicia Tretheway, MPA  
Procurement Coordinator/ADA Coordinator  
Levy County Board of County Commission  
310 School Street  
P.O. Box 310  
Bronson, Florida 32621  
Cell: 352-441-0964  
Phone: 352-486-5218, Ext 2  
Fax: 352-486-5167

Connect with Levy County:



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**From:** noreply@revize.com <noreply@revize.com>  
**Sent:** Friday, April 28, 2023 7:19 PM  
**To:** LevyBOCC <levybocc@levycounty.org>  
**Cc:** Ali Tretheway <tretheway-ali@levycounty.org>  
**Subject:** Public Comment Form

First-and-Last-Name = Robert Arnold  
Organization-Name-if-applicable =  
Address- = 10930 ne 85 st  
City = Bronson  
State = Florida  
PostZip-Code = 32621  
Email = [robertvarnold@gmail.com](mailto:robertvarnold@gmail.com)  
Meeting-Date = May 1, 2023  
Agenda-Item-if-applicable =

Comment = The proposed exemption to allow a sand mine under 50-719 should require environmental studies as the area in question is residential. I question if there have been studies to verify that there would not be negative impacts to our water in the aquifer. As citizens in this area, we must protect and preserve our rural communities.  
Client IP = 172.59.65.177

## Levy Planning

**From:** Ali Tretheway  
**Sent:** Friday, April 28, 2023 4:10 PM  
**To:** Levy County Commission District 1; Levy County Commission District 2; Levy County Commission District 3; Levy County Commission District 4; Levy County Commission District 5  
**Cc:** Stacey Hectus; Levy Planning; Wilbur Dean  
**Subject:** FW: Public Comment Form

This is for your meeting on May 1<sup>st</sup>.

Alicia Tretheway, MPA  
Procurement Coordinator/ADA Coordinator  
Levy County Board of County Commission  
310 School Street  
P.O. Box 310  
Bronson, Florida 32621  
Cell: 352-441-0964  
Phone: 352-486-5218, Ext 2  
Fax: 352-486-5167

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**From:** noreply@revize.com <noreply@revize.com>  
**Sent:** Friday, April 28, 2023 4:09 PM  
**To:** LevyBOCC <levybocc@levycounty.org>  
**Cc:** Ali Tretheway <tretheway-ali@levycounty.org>  
**Subject:** Public Comment Form

First-and-Last-Name = Robin dvorshak  
Organization-Name-if-applicable = Land owner  
Address- = 135th Ave and 43rd land  
City = Williston  
State = FL  
PostZip-Code = 32696  
Email = [dvorshak@msn.com](mailto:dvorshak@msn.com)  
Meeting-Date = May 1st 2023  
Agenda-Item-if-applicable = Petition no Se 23-01

omment = We opposed to the petition No SE 23-01 because of the air pollution it may cause Sand mining from rivers and marine ecosystems, leads to "significant environmental impacts, including coastal and river erosion, shrinking deltas, land-use changes, air pollution, salinization of coastal aquifers and groundwater reserves, threats to freshwater and marine fisheries and biodiversity as well as lots of traffic in the area.. people move to this area for less traffic, the cleaner environment and the peacefulness... Thank you  
Client IP = 107.216.133.133

Planning and Zoning Department  
320 Mongo Street  
Bronson, FL 32621

Levy County Planning Commission,

April 27, 2023

We are writing this letter to express our strong opposition in regards to PETITION NO SE 23-01, the request for a special exception for a major mining operation. We would also like to voice our legal standing in this issue should it be permitted. We feel as property owners on the border of two of four of these mentioned parcels, that this mining operation will have a direct impact on our land from possible land erosion, the dangers/effects that it will bring to the natural habitat, noise pollution, and air and water quality. Not to mention the possible decrease of our property value and use being this close to a mining site.

With mining, the possibility of land erosion and the natural habitat effects to my property and surrounding areas is very probable. As with all erosion, it also disturbs existing plant life and habitat that is in direct contact. This area is very well known for the gopher tortoise. How will this effect their populations? They are currently protected under state law. Will this exception exclude them from the law as well? From my understanding, as a lifetime Florida resident, any land clearing or development being executed must file for permits before capturing and relocating this species. Is the FWC also aware of this petition? Have they been notified of this proposed operation? These parcels also border an agricultural research center. How will they and future agricultural be effected by this mining.

With heavy industrial activities, the probability of noise pollution is very high. The equipment being used alone produces a considerable amount of noise to be disruptive to the peacefulness that this area brings. Not to mention the extra roads and large vehicles that will be going in and out of this operation. All of which have a major environmental impact. We have lived in many areas of Florida and specifically purchased our property with the noise levels in mind. The tranquility of nature that surrounds us is what brought us here. The parcels in question directly border our property. There is no doubt in our minds that we will be impacted by this decision.

With strip mining, the probability of air and water pollution is also very high. Excavation of minerals requires digging, which produces dust. Again, our property directly borders these parcels. We, in no way desire to breathe in the dust/particulates that will inherently be created when digging into the ground. Will there be any types of buffers put up in our area to avoid this dust from being dispersed into our neighboring property? Will we now have layers of sand covering our homes and vehicles. What about the wildlife? Will they also have to breathe in the polluted air? We are closely located to Goethe State Forest. How will this mining effect the natural habitat in that area? Air quality is a concern for many residents as new development is always occurring. This operation will create more of a local issue for the surrounding residents and habitat. The amount of minerals in the dust and particulates created, can cause breathing issues for all those closely effected whether human or animal. Possible water pollution can also occur through mining due to collapse of the water table. Will this have an effect on our local springs?

Our property value is most likely to decrease in the event of the approval of this exception as well. Many people purchase in this area to be able to homestead on their property. With all that is proposed, we feel that our equity in our personal properties will diminish. Not to mention the fact that all the noise and constant disruption of our ground area with mining will effect any possibility of having livestock that could be part of our own homesteading dream. Who would desire to live next to a mining operation that is constantly creating a disruption to our daily lives?

Again, as residents directly bordering this location being petitioned, we highly oppose this petition from moving forward. The direct effects from this will be detrimental to our personal well being and lifestyles. If any damages occur resulting from the approval of this petition, we will be seeking judicial relief according to our rights as property owners.

Thank you for your continued service and support for our community.

Best regards,

Jeff Godoy  
Monica Torres

Parcel ID# 0359700900

1869 se 19 st.  
Homestead, FL 33035





4/26/23

Levy County  
Planning and Zoning Dept  
320 Mongo Street  
Bronson, FL 32621

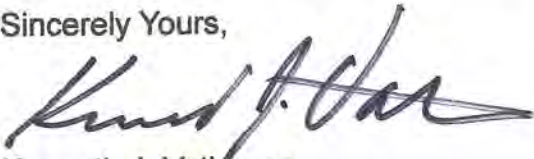
Re: Petition No SE 23-01 – 3RT Sand Mine Operation

To whom it may concern;

As I am unable to attend the public hearing in person, may this letter serve as an adamant 'No' to the Request of a Special Exception for a major mining operation to be allowed in the designated area.

I am not only concerned about property values, but the effect such an operation can have on the environment, disappearing green space and the water supply for existing residents and our future generations.

Sincerely Yours,



Kenneth J. Vathauer  
Parcel ID1641700000

## Philip Porter

4451 NE County Road 337  
Bronson Florida 32621

June 1, 2023

Stacey Hectus  
Director, Planning and Zoning  
320 Mongo St.  
Bronson, Florida 32621

Dear Director Hectus,

RE: Petition No SE 23-01

Since January 2023 massive amounts of sand have been removed from a sand pit on land owned by Thomas Lee Aquilla Jr which sits on parcel 03606000000. Hundreds of dump trucks have been hauling sand out of that pit daily. They enter and exit the pit from NE 40th St onto CR 337. This land is zoned pasture II. Recently it has stopped and things have returned to normal. However, now there is a proposed zoning change to allow a major mining operation.

Mr. Aquilla is a direct neighbor of Ryan Thomas. Mr. Thomas is the owner of the mining co that has requested a zoning change to mine nearby parcels of agricultural land. The proposed ingress/egress is by NE 30th St. to CR 337. These are not small dump trucks. What's even worse is they gear up and down right in front of my house. This activity continued from dawn to dusk. Every time one passes it rumbles the ground, shakes the house and rattles the windows. My dogs were in continuous distress. This is not an exaggeration. The extremity of this nuisance is akin to torture.

I bought my property for the ambiance of a rural setting and based in part on the zoning of residential/agricultural. I only have a limited time left and I want to spend it communing with nature not with dump trucks. This will not stand. If I have to take legal action I will. If I have to move, I will expect compensation for losses and expense.

Further, there appears to be misinformation spreading online and by word of mouth, that the purpose of the zoning change is only to allow Mr.

Thomas to level his land for farming purposes. This would appear to be a total fabrication. If the source of this fabrication has any connection to those requesting this zoning change, this may constitute fraud. It may be used to quell dissent.

Both of these individuals have and/or are engaging in a commercial activity without paying the true cost of that activity. They want others to bear the costs of the externalities. Essentially, They want others to subsidize their business without compensation. Their activities have changed a pastoral environment to a toxic one.

In summary: I oppose this petition.

Sincerely yours,



Philip Porter

Levy County  
Board of County Commissioners  
Levy County, Florida 32621

To all commissioners:

June 21, 2023

This is in regards to the proposed 3RT Sand Mine on 400 acres of land located in Section 35, Township 12, Range 17E, Levy county Florida. Parcel numbers as follows 0359700000, 0359700300, 0359700400, and 0359701600.

As a taxpaying citizen of Levy County, I do not feel this proposed operation in this rural neighborhood would be in any way beneficial to Levy County as the minerals excavated would more than likely be shipped out of the county.

I feel it would be a detriment to our quiet neighborhood, and a danger to the children who live here as they would be drawn to it for a place to run their four wheelers and mini bikes. We all know fences would not keep them out.

Sand pits are known to be 50 to 70 feet deep which concerns me in respect to the water wells in the area with a possibility of contamination.

I also would like to know how an operation of this kind would affect the environment in the immediate area in respect to noise pollution, air quality and soil contamination.

Sincerely,

*Cheryl A. Skelly*

Cheryl A. Skelly  
5491 N.E. 103 Terrace  
Bronson, Florida 32621  
C/planning and zoning department