



Town Commission Special Called Meeting Agenda

Monday, January 26, 2026 at 6:00 PM

706 NE Cholokka BLVD

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE TO FLAG

ROLL CALL

PUBLIC HEARING

1. Final Site Plan Review - Micanopy Area Cooperative School (MACS)
2. Special Use Permit - Micanopy Area Cooperative School (MACS)

ADJOURN

PLEASE NOTE: PURSUANT TO SECTION 286.015, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL 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. IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMODATIONS TO PARTICIPATE IN TOWN MEETINGS SHOULD CONTACT THE TOWN ADMINISTRATOR, 706 NE CHOLOKKA BLVD., MICANOPY, FLORIDA 32667-0137, TELEPHONE (352) 466-3121.



Town of _____

Micanopy
Florida

AGENDA TRANSMITTAL

To: Planning & Historic Preservation Board
From: Sara S. Samario, ICMA-CM, Town Administrator
Subject: Final Site Plan – Micanopy Area Cooperative School (MACS) Expansion
Action Requested: Approve, approve with conditions, or deny.

I. Purpose

The applicant, Micanopy Area Cooperative School (MACS), has submitted the **Final Site Plan** for its proposed building expansion. All required engineering, fire, and technical reviews have been completed, with the Town’s contracted engineer confirming the plan now meets all required technical standards.

II. Supporting Documents Included in the Agenda Packet

- **Final dimension drawings and revised plan set** (JBPro)
- **Initial engineering review** from EDA Consultants, Inc. (November 7, 2025)

Final Site Plan (for agenda)

- **Applicant responses** addressing all comments (November 17, 2025)

Final Site Plan (for agenda)

- **Final engineering clearance** from EDA stating no further comments remain (November 19, 2025)

Final Site Plan (for agenda)

- **Fire Marshal correspondence** confirming water main and hydrant adequacy
- **Tree Committee memorandum** (October 6, 2025) regarding heritage oak considerations

706 NE Cholokka Blvd.
PO Box 137, Micanopy, FL 32667-0137
(352) 466-3121 Town Hall (352) 466-4912 Fax
townhall@micanopytown.com

III. Tree Committee Comments (Modified Summary)

The Tree Committee reviewed the *original* site plan earlier in the process and provided **advisory comments** regarding the protection of a heritage live oak located near the proposed improvements. Their memorandum recommended a 48-foot Tree Protection Zone (TPZ) as a minimum standard.

The updated configuration satisfies the Town’s applicable tree protection standards and addresses the concerns raised in the committee’s advisory memorandum.

IV. Status of Technical Review

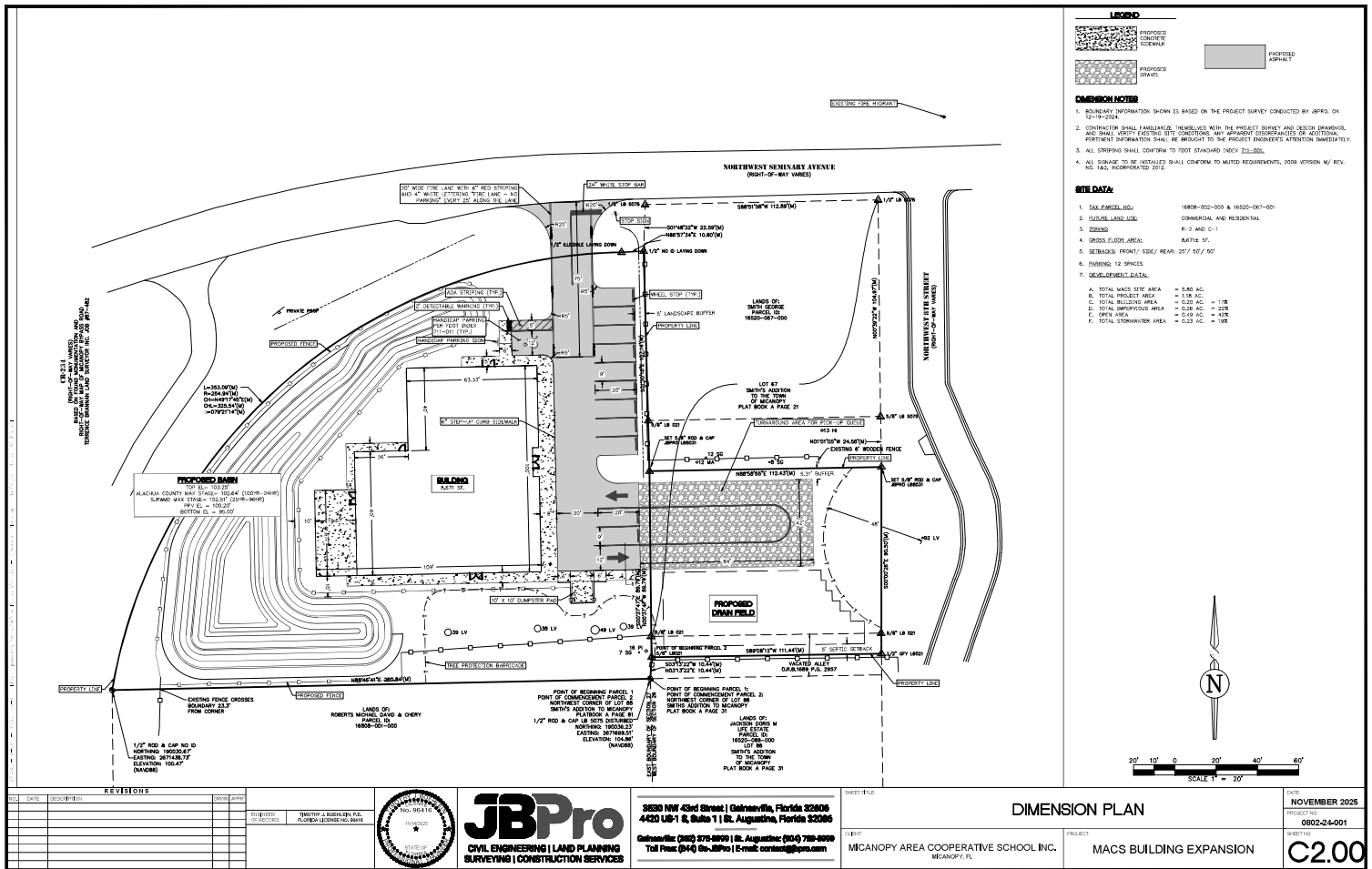
The Town’s engineer (EDA) has confirmed that all previous comments have been resolved, including grading, stormwater, septic, and utility revisions. The Fire Marshal has also affirmed that the proposed hydrant and water main configuration is adequate for the site.

No further technical issues remain outstanding.

V. Action Requested

Staff requests that the Commission/Board **review the final site plan and accompanying materials** and take one of the following actions:

1. **Approve** the MACS Final Site Plan;
2. **Approve with conditions**, if additional tree protection measures or monitoring are desired; or
3. **Deny** the application, stating specific reasons.



LEGEND

	PROPOSED CONCRETE
	PROPOSED ASPHALT
	PROPOSED GRAVEL

- DIMENSION NOTES**
- BOUNDARY INFORMATION SHOWN IS BASED ON THE PROJECT SURVEY CONDUCTED BY JBP, ON 02-19-2024.
 - CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE PROJECT SURVEY AND DESIGN DRAWINGS AND SHALL VERIFY EXISTING SITE CONDITIONS. ANY APPARENT DISCREPANCIES OR OMISSIONS, PERTINENT INFORMATION SHALL BE BROUGHT TO THE PROJECT ENGINEER'S ATTENTION IMMEDIATELY.
 - ALL STRIPING SHALL CONFORM TO TYPICAL INDEX T11-001.
 - ALL DIMENSIONS TO BE VERIFIED SHALL CONFORM TO MUTED REQUIREMENTS, 2008 (VERSION W/ REV. NO. 14), ACCURATED TO ±0.2.

- SITE DATA:**
- SCALE: 1" = 20'
 - DATE: 11/05/2025
 - PROJECT: MACS BUILDING EXPANSION
 - CLIENT: MICANOPY AREA COOPERATIVE SCHOOL INC., Micanopy, FL
 - DESIGNER: JBP
 - DATE: 11/05/2025
 - PROJECT: MACS BUILDING EXPANSION
 - CLIENT: MICANOPY AREA COOPERATIVE SCHOOL INC., Micanopy, FL
 - DESIGNER: JBP

AREA DATA:

A. TOTAL MACS SITE AREA	= 5.60 AC.
B. TOTAL PROJECT AREA	= 1.18 AC.
C. TOTAL BUILDING AREA	= 0.20 AC. = 172
D. TOTAL IMPERVIOUS AREA	= 0.26 AC. = 228
E. TOTAL PAVED AREA	= 0.49 AC. = 428
F. TOTAL STORMWATER AREA	= 0.23 AC. = 198

DATE	NOVEMBER 2025
PROJECT NO.	0802-24-001
SHEET NO.	C2.00

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHK

JBP Pro
 CIVIL ENGINEERING | LAND PLANNING
 SURVEYING | CONSTRUCTION SERVICES

3630 NW 43rd Street | Gainesville, Florida 32605
 4420 US-1 S, Suite 1 | St. Augustine, Florida 32086
 Gainesville (352) 375-8990 | St. Augustine (813) 788-0998
 Toll Free (844) Go-JBP Pro | E-mail: contact@jbp.com

SHEET TITLE	DIMENSION PLAN
CLIENT	MICANOPY AREA COOPERATIVE SCHOOL INC., Micanopy, FL
PROJECT	MACS BUILDING EXPANSION

November 7, 2025

Sara S. Samario, ICMA-CM
Town Administrator
SSamario@micanopytown.com | (352) 466-3121
Town of Micanopy, Florida.

Ref: Construction plans for MACS Building Expansion

Dear Ms. Samario:

The following comments on the construction plans for MACS Building Expansion is very minor and **does not require a resubmittal to eda.**

1. Sheet C0.00

- a. Trip Generation Data is missing and should be included with the building and parking additions
- b. Parking Calculations are missing

2. Sheet 1.00

- a. Existing 6' Wooden Fence in front of Turnaround Area for Pick-Up Queue is not called out to be removed on the Demo plan, but disappears in the rest of the plan set

3. Sheets 3.00-3.02

- a. Please review parking lot and driveway grading. The cross slopes range from below 1% to above 7%.
- b. S-05 has a 100.00 contour reaching into outside of the property line. Please demonstrate you are allowed to grade outside of your property.
- c. The slope of the basin seems to get steeper below contour 98.00. Please indicate the different slopes. Sheet 3.03 seems to indicate it is all 3:1.

4. Sheet 3.03

- a. Cross section A-A indicates a 5' berm near S-03 which is not shown on the plans.
- b. The modeled SHGWT of 99.20 does not match the drainage report.

5. Sheet 4.00

- a. Please call out the valve at the point of connection.
- b. The 4" main may not be enough to provide required flow and/or pressure to the proposed fire hydrant. 6" lines are usually required to serve fire hydrants.
- c. Please provide dimensions for the drainfield.

- d. Please provide distance from drainfield to existing wells on adjacent properties, or provide a note that states no well are present.

6. Septic Design

- a. "Flow rate of dosing pump (gpm) – $Q_p = q * N_t$ " states $q * N_t = 98.57$ gpm. From the calculations above in the page, $q = 11.35$ gpm and $N_t = 6$ laterals. $6 * 11.35 = 68.1$, not 98.57. Please clarify.
- b. Please provide pump curve.

7. Stormwater Report

- a. In the "IV Geotechnical Investigation", the groundwater used should be SHWT, not an average of SHWT and SLWT. The groundwater should be set to 2' below ground elevation. Per the plans, the three borings P1 thru P-3 average to 102.07. Minus the 2' for SHWT, the permanent pool should be set to 100.07. Please justify the 100.20 used.

Please do not hesitate to contact me if you have any questions/comments.

Sincerely,

Claudia S. Vega, P.E.

Director of Engineering

cvega@edafl.com

edafl.com

November 17th, 2025

Sara S. Samario, ICMA-CM
Town Administrator
706 NE Chokolka Blvd., PO Box 137
Micanopy, FL 32667
(352) 466-3121

RE: MACS Building Expansion Project

Dear Ms. Samario,

Please find attached a resubmittal package for MACS Building Expansion Project. This resubmittal package is provided to address comments provided by EDA Consultants, Inc., on November 7th, 2025.

Please find below responses to the comments for the above referenced project. The comments have been replicated below followed by responses in bold.

Deficiencies to be Addressed:

1. Sheet 0.00
 - a. Trip Generation Data is missing and should be included with the building and parking additions
Response: Trip Generation Data calculations have been added to Sheet C0.00 and a statement added to the submittal package.
 - b. Parking Calculations are missing
Response: Parking calculations have been added to Sheet C0.00.
2. Sheet 1.00
 - a. Existing 6' Wooden Fence in front of Turnaround Area for Pick-Up Queue is not called out to be removed on the Demo plan, but disappears in the rest of the plan set
Response: Demolition plan has been updated, the existing fence has been called out to be removed.
3. Sheet 3.00 – 3.02
 - a. Please review parking lot and driveway grading. The cross slopes range from below 1% to above 7%.
Response: The parking lot and driveway grading has been revised.

- b. S-05 has a 100.00 contour reaching into outside of the property line.

Please demonstrate you are allowed to grade outside of your property.

Response: Per coordination with Alachua County Public Works this is the preferred location for the outfall. Outfall structure is located on site; however, a small amount of grading was required to connect to the existing swale.

- c. The slope of the basin seems to get steeper below contour 98.00. Please indicate the different slopes. Sheet 3.03 seems to indicate it is all 3:1.

Response: Basin cross detail on Sheet C3.03 has been updated to show the grade break.

4. Sheet 3.03

- a. Cross section A-A indicates a 5' berm near S-03 which is not shown on the plans.

Response: The berm call-out has been removed.

- b. The modeled SHGWT of 99.20 does not match the drainage report.

Response: The modeled SHGWT has been updated to be 100.07' as stated in comment 7a below. The drainage report has been updated to match the SHGWAT on sheet C3.03.

5. Sheet 4.00

- a. Please call out the valve at the point of connection.

Response: Addressed as requested.

- b. The 4" main may not be enough to provide required flow and/or pressure to the proposed fire hydrant. 6" lines are usually required to serve fire hydrants.

Response: Per coordination with Alachua County Fire Marshall the 4-inch main will be sufficient due to the lack of other mains in the area.

- c. Please provide dimensions for the drainfield.

Response: Dimensions have been added on the drainfield

- d. Please provide distance from drainfield to existing wells on adjacent properties, or provide a note that states no well are present.

Response: There are no wells in the vicinity of the property. The adjacent residential properties are connected to a 2-inch water main.

6. Septic Design

- a. "Flow rate of dosing pump (gpm) – $Q_p = q * N_t$ " states $q * N_t = 98.57$ gpm. From the calculations above in the page, $q = 11.35$ gpm and $N_t = 6$ laterals. $6 * 11.35 = 68.1$, not 98.57. Please clarify.

Response: Calculations have been revised to reflect $q * N_t = 68.1$

- b. Please provide pump curve.

Response: A pump curve has been provided.

7. Stormwater Report

- a. In the "IV Geotechnical Investigation", the groundwater used should be SHWT, not an average of SHWT and SLWT. The groundwater should be set to 2' below ground elevation. Per the plans, the three borings P1 thru P-3 average to 102.07. Minus the 2' for SHWT, the permanent pool should be set to 100.07. Please justify the 100.20 used.

Response: To minimize ground water contributions, the control elevation was set slightly above the normal on-site ground water table elevation following SJRWMD Volume II - Section 8.10.

Sincerely,



Timothy J. Boehlein, PE
Project Manager, JBPro



November 19, 2025

Sara S. Samario, ICMA-CM

Town Administrator

SSamario@micanopytown.com | (352) 466-3121

Town of Micanopy, Florida.

Ref: Construction plans for MACS Building Expansion

Dear Ms. Samario:

We have no further comments on the construction plans for MACS Building Expansion. All previous comments have been addressed.

Please do not hesitate to contact me if you have any questions/comments.

Sincerely,

Claudia S. Vega, P.E.

Director of Engineering

cvega@edafl.com

edafl.com

Sara Samario

From: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Sent: Friday, November 14, 2025 11:19 AM
To: Sara Samario
Cc: Brenda Maynard
Subject: FW: MACS - Submittal

Sara,

See below from the Fire Marshall's office,

Let me know if you have any further questions

Tim Boehlein, PE (FL, GA, NC, SC, TX) LEED GA
Project Manager

o (352) 375-8999
c (352) 575-5455



Our Locations

Gainesville (HQ)
St. Augustine
Tallahassee

Our Services

Civil Engineering
Surveying
Planning & GIS
Landscape Architecture
Construction Services

From: Silver Ware <sware@alachuacounty.us>
Sent: Thursday, November 6, 2025 7:39 AM
To: Tim Boehlein, PE <tim.boehlein@jbpro.com>; Ian Daniels <ian.daniels@jbpro.com>
Cc: John Adler <jadler@alachuacounty.us>
Subject: RE: MACS - Submittal

[EMAIL FROM EXTERNAL SOURCE]

Good morning

Thank you we have no further comment

Thank you

Chip

From: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Sent: Wednesday, November 5, 2025 11:45 AM
To: Silver Ware <sware@alachuacounty.us>; Ian Daniels <ian.daniels@jbpro.com>
Cc: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Subject: RE: MACS - Submittal

Good morning Chip,

Please see attached the revised plans and fire flow test report. Please let me know if you have any questions or concerns,

Thanks,

Tim Boehlein, PE (FL, GA, NC, SC, TX) LEED GA
Project Manager

o (352) 375-8999
c (352) 575-5455



Our Locations

Gainesville (HQ)
St. Augustine
Tallahassee

Our Services

Civil Engineering
Surveying
Planning & GIS
Landscape Architecture
Construction Services

From: Silver Ware <sware@alachuacounty.us>
Sent: Thursday, October 30, 2025 1:10 PM
To: Ian Daniels <ian.daniels@jbpro.com>
Cc: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Subject: RE: MACS - Submittal

[EMAIL FROM EXTERNAL SOURCE]

Sounds good it's on the calendar.

Thank you

Chip

From: Ian Daniels <ian.daniels@jbpro.com>
Sent: Thursday, October 30, 2025 1:08 PM
To: Silver Ware <sware@alachuacounty.us>
Cc: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Subject: Re: MACS - Submittal

Good afternoon Chip,

Let's plan for Monday afternoon around 2:00 PM if that works for you then.

Thank you!

Ian Daniels

Construction Manager

o (352) 375-8999

c (352) 538-0868



Our Locations

Gainesville (HQ)

St. Augustine

Tallahassee

Our Services

Civil Engineering

Surveying

Planning & GIS

Landscape Architecture

Construction Services

From: Silver Ware <sware@alachuacounty.us>
Sent: Thursday, October 30, 2025 1:02 PM
To: Ian Daniels <ian.daniels@jbpro.com>
Cc: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Subject: RE: MACS - Submittal

[EMAIL FROM EXTERNAL SOURCE]

Good afternoon

I'm free all day Monday 110325 or after 12:00 on Tuesday 110425.

Thank you

Chip

From: Ian Daniels <ian.daniels@jbpro.com>
Sent: Thursday, October 30, 2025 11:06 AM
To: Silver Ware <sware@alachuacounty.us>
Cc: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Subject: Re: MACS - Submittal

Good morning Chip,

I am getting things set up for the hydrant flow test out at MACS. Is there a certain day next week that you would like to conduct the test? I understand you would like to be present for it.

Thank you,

Ian Daniels
Construction Manager

o (352) 375-8999
c (352) 538-0868



Our Locations

Gainesville (HQ)
St. Augustine
Tallahassee

Our Services

Civil Engineering
Surveying
Planning & GIS
Landscape Architecture
Construction Services

From: Silver Ware <sware@alachuacounty.us>
Sent: Thursday, October 30, 2025 8:51 AM
To: Tim Boehlein, PE <tim.boehlein@jbpro.com>; ssamario@micanopytown.com <ssamario@micanopytown.com>
Cc: John Adler <jadler@alachuacounty.us>; maynardb@macschool.us <maynardb@macschool.us>; Michael Park <michael.park@jbpro.com>; Ian Daniels <ian.daniels@jbpro.com>
Subject: RE: MACS - Submittal

[EMAIL FROM EXTERNAL SOURCE]

Thank you. Yes, delineating the Fire Access Road to 150 feet by painting the limits will be accepted by the AHJ and comply with NFPA 1 18.2.3.5.4.

Thank you

Chip

From: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Sent: Thursday, October 30, 2025 8:42 AM
To: Silver Ware <sware@alachuacounty.us>; ssamario@micanopytown.com
Cc: John Adler <jadler@alachuacounty.us>; maynardb@macschool.us; Michael Park <michael.park@jbpro.com>; Ian Daniels <ian.daniels@jbpro.com>
Subject: RE: MACS - Submittal

Good morning Chip,

We will remove the PIV and I will have Ian Daniels contact you regarding a new fire flow test.

Our only concern is the fire access road and total distance. The length of our paved roadway is 175', however my understanding was that the fire access road is only required to allow the apparatus to be within 50' of at least one exterior door and 450' of all doors (assuming that we are sprinklered)

The idea is that the fire apparatus would only need to come into the site around 75' to get within the required distance of all exterior doors. If we were to paint out the limits of the "fire access road" would that suffice?

Thank you,

Tim Boehlein, PE (FL, GA, NC, SC, TX) LEED GA
Project Manager

o (352) 375-8999
c (352) 575-5455



Our Locations

Gainesville (HQ)
St. Augustine
Tallahassee

Our Services

Civil Engineering
Surveying
Planning & GIS
Landscape Architecture
Construction Services

From: Silver Ware <sware@alachuacounty.us>
Sent: Thursday, October 30, 2025 8:10 AM
To: ssamario@micanopytown.com
Cc: John Adler <jadler@alachuacounty.us>; maynardb@macschool.us; Tim Boehlein, PE <tim.boehlein@jbpro.com>; Michael Park <michael.park@jbpro.com>
Subject: RE: MACS - Submittal

[EMAIL FROM EXTERNAL SOURCE]

Good morning

As request I'm replying on the plan set sent to FM Adler. ACFR has three comments.

- 1 The PIV will not be required by the AHJ, if the DCBFP has indicating valves such as Outside Stem and Yolks (OSY) installed.
- 2 Conduct another Flow Test of the fire main to verify the static, residual, and flow data. ACFR will witness the test. Please contact me at 352-494-3140 for scheduling.
- 3 Fire Apparatus Access is more than 150 in length. Please provide a method to either limit the FD access road to 150 in length or provide a turn around to comply with NFPA 1 18.2.3.5.4. If a turn around will be designed (cult-e-sac, hammer head, Y's, etc.) an Auto Turn exhibit depicting ACFR traveling through the turn around will be require.

Please contact me if any questions come up.

Thank you

Chip
Cell# 352-494-3140



Silver Ware

Fire Prevention Officer
Fire Rescue
911 SE 5th ST • Gainesville • FL • 32601
352-384-3121 (office) • 352-494-3140 (mobile) • 352-384-3157 (fax)



PLEASE NOTE: Florida has a very broad public records law (F.S.119).
All e-mails to and from County Officials and County Staff are kept as public records. Your e-mail communications, including your e-mail address, may be disclosed to the public and media at any time.

From: John Adler <jadler@alachuacounty.us>

Sent: Wednesday, October 29, 2025 3:18 PM

To: Silver Ware <sware@alachuacounty.us>

Subject: FW: MACS - Submittal



John Adler, CFO, FM, MIFireE

Fire Marshal / Division Chief
Fire Rescue
911 SE 5th ST • Gainesville • FL • 32601
352-384-3107 (office) • 863-781-1452 (mobile) • 352-384-3157 (fax)



PLEASE NOTE: Florida has a very broad public records law (F.S.119).
All e-mails to and from County Officials and County Staff are kept as public records. Your e-mail communications, including your e-mail address, may be disclosed to the public and media at any time.

From: Sara Samario <SSamario@micanopytown.com>

Sent: Wednesday, October 29, 2025 2:40 PM

Cc: PPolk-Micanopy <PPolk@micanopytown.com>

Subject: FW: MACS - Submittal

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon. I am sending you the final site plan submission from JBPro for the MACS site plan in the email below. Please let me know if you need anything additional from the applicant.

Sara

Sara S. Samario, ICMA-CM
Town Administrator
Town of Micanopy
706 NE Chokolka Blvd, PO Box 137
Micanopy, FL 32667
(352) 466-3121
www.MicanopyTown.com

"Honor the past. Build the future. Steward the journey."



From: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Sent: Tuesday, October 28, 2025 10:31 PM
To: Sara Samario <SSamario@micanopytown.com>
Cc: Brenda Maynard <maynardb@macschool.us>; Michael Park <michael.park@jbpro.com>
Subject: RE: MACS - Submittal

Good evening Sara,

Please see attached our full construction plan set which addresses preliminary comments from the Fire Marshall Office and EDA Planning Staff. As we understand the process, these will be submitted by the City to EDA and the Fire Marshal office. The outside reviewers will then provide us with any comments or final approval letters. If needed, we will address comments so that we have final approval letters from all (3) outside reviewers. Once we have approval, we will go back for a final hearing in which the Board will vote on whether we have satisfied the conditions of our last meeting.

If you have any other questions or concerns, please let me know,

[☐ 2025-10-28 - MACS Submittal #3](#)

Thanks,

Tim Boehlein, PE (FL, GA, NC, SC, TX) LEED GA
Project Manager

o (352) 375-8999
c (352) 575-5455



Our Locations

Gainesville (HQ)
St. Augustine
Tallahassee

Our Services

Civil Engineering
Surveying
Planning & GIS
Landscape Architecture
Construction Services

From: Sara Samario <SSamario@micanopytown.com>
Sent: Tuesday, October 28, 2025 11:33 AM
To: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Cc: Brenda Maynard <maynardb@macschool.us>; Michael Park <michael.park@jbpro.com>
Subject: RE: MACS - Submittal

[EMAIL FROM EXTERNAL SOURCE]

Hi Tim. Digital copies should be sufficient, but we will let you know if hard copies are needed.

No word yet on the lot size, but I will check in with Derek to see where she is on a legal opinion.

Sara

Sara S. Samario, ICMA-CM
Town Administrator
Town of Micanopy
706 NE Chokolka Blvd, PO Box 137
Micanopy, FL 32667
(352) 466-3121
www.MicanopyTown.com

"Honor the past. Build the future. Steward the journey."



From: Tim Boehlein, PE <tim.boehlein@jbpro.com>
Sent: Tuesday, October 28, 2025 10:30 AM
To: Sara Samario <SSamario@micanopytown.com>
Cc: Brenda Maynard <maynardb@macschool.us>; Michael Park <michael.park@jbpro.com>
Subject: MACS - Submittal

Good morning Sara,

We are getting ready to submit our final construction plan set which will include all necessary details to submit to the Fire Marshal and to EDA Planning / Engineering. For this submittal, do you need hard-copies of all application material, or will a digital copy be sufficient?

Is there any update on the interpretation of the lot-size question regarding the total number of students?

Thanks,

Tim Boehlein, PE (FL, GA, NC, SC, TX) LEED GA
Project Manager

o (352) 375-8999
c (352) 575-5455



Our Locations

Gainesville (HQ)
St. Augustine
Tallahassee

Our Services

Civil Engineering
Surveying
Planning & GIS
Landscape Architecture
Construction Services



Town of Micanopy
Tree Committee Memorandum

Date: October 6, 2025

To: Planning and Historic Preservation Board

From: Town of Micanopy Tree Committee

Subject: Tree Preservation and Protection Review — Micanopy Area Cooperative School (MACS) Site Plan

The Tree Committee has reviewed the Application for Land Use Approval submitted by JBPro Construction Services for the Micanopy Area Cooperative School (MACS). Our review focused on the preservation of mature live oak (*Quercus virginiana*) trees located within and adjacent to the proposed development area, with particular attention to a large live oak on Parcel 2 measuring approximately 92 inches DBH (diameter at breast height) and 23 feet in circumference, estimated to be between 150 and 200 years old.

1. Purpose

This memorandum provides technical observations and recommendations related to tree protection and site design. The intent is to support compliance with the Town’s Land Development Code (Article VII — Landscaping and Tree Preservation) and to promote sound arboricultural practices that protect significant heritage trees during site development.

2. Site Observations

- The root system of the heritage live oak has likely experienced prior disturbance during the construction of NW 8th Street. Given the tree’s size and age, additional impacts from nearby paving or septic installation will affect its long-term health.
- The proposed “turnaround area for pick-up queue” and septic drain field are located within proximity to the tree’s likely root zone. These activities will alter the soil-root matrix and reduce oxygen availability in the soil, which increases vulnerability to pathogens such as *Armillaria* and *Phytophthora* (root rot).
- Four additional large live oaks along the south property line (DBH 38–49 inches) are also located near proposed construction areas, including septic and drain field components within approximately 15 feet of the nearest trunk.

3. Tree Protection Zone (TPZ) Considerations

The Town’s Land Development Code requires the protection of trees during development and authorizes the Town to establish appropriate measures to prevent root disturbance and soil compaction. While the Code does not specify a fixed TPZ formula, arboricultural standards provide useful guidance:

706 NE Cholokka Blvd.
PO Box 137, Micanopy, FL 32667-0137
(352) 466-3121 Town Hall (352) 466-4912 Fax
townhall@micanopytown.com

- The International Society of Arboriculture (ISA) defines a **Critical Root Zone (CRZ)** as a radius to 12 inches for every inch of trunk diameter. For a 92-inch DBH tree, this would be approximately 92 feet.
- Research by Benson et al. (2019) suggests a 115-foot protective radius for mature live oaks, based on calculations.
- The measured canopy dripline for this heritage oak extends approximately 73 feet from the trunk. Even applying a conservative two-thirds ratio would yield a TPZ of approximately 48 feet, which exceeds the 40-foot TPZ currently shown on the plan.

These comparative standards indicate that the area proposed for protection will not fully encompass the root zone necessary to sustain the tree’s health and stability.

4. Recommendations

To promote compliance with the Town’s LDC and accepted arboricultural practices, the Tree Committee recommends the following:

1. **Increase the tree protection area** surrounding the heritage live oak on Parcel 2 to encompass the canopy dripline.
2. **Relocate septic and drainage components** outside the recommended protection area.
3. **Establish protective fencing** around all large live oaks prior to construction and maintain barriers until site work is complete.
4. **Avoid grading, trenching, or material storage** within designated protection zones.
5. **Consult a certified arborist** to verify tree protection fencing, monitor during construction, and provide post-construction evaluation.
6. **Coordinate directly with Town staff and the Tree Committee** before finalizing any landscape or grading revisions to ensure compatibility with preservation goals.

5. Summary

The Tree Committee respectfully submits these recommendations to assist the applicant and the Planning and Historic Preservation Board in ensuring the long-term preservation of Micanopy’s heritage live oaks. Adjustments to the site layout or protective distances will help balance project objectives with the Town’s commitment to protecting its historic tree canopy.

Respectfully submitted,

Town of Micanopy Tree Committee

Paul Cohen
 Gary Hunt
 Matt Palumbo

706 NE Cholokka Blvd.
 PO Box 137, Micanopy, FL 32667-0137
 (352) 466-3121 Town Hall (352) 466-4912 Fax
townhall@micanopytown.com

LEGAL OPINION

TO: Planning and Historic Preservation Board (PHPB)
 FROM: Office of the Town Attorney
 DATE: December 15, 2025
 RE: MACS Final Site Plan

Context:

The MACS Final Site Plan Review is scheduled to be heard on December 16, 2025. The MACS Preliminary Site Plan Review was conducted on October 7, 2025 at which the PHPB voted unanimously to approve the site plan with the following conditions:

1. Final review by the Town's contracted planner and engineer for LDC compliance
2. Review by Alachua County Fire Marshall
3. Implementation of a tree protection zone as recommended by the tree committee

The PHPB will determine on December 16, 2025 whether all of these conditions have now been met upon review of the correspondence attached to the Agenda and testimony presented at the hearing.

Issue #1:

Whether the Site Plan is compliant with the setback requirements set forth in the LDC.

Answer:

Yes. The section of the LDC referenced by citizens at the October 7, 2025 meeting applies to "accessory structures", which is defined as "[a] subordinate detached structure, the use of which is customarily and normally incidental to that of the principal use on the same lot and does not include residential uses." The septic system/drain field in the site plan is not an accessory structure. It is an underground system. Accordingly, these setback regulations do not apply.

Issue #2:

Whether the lot size for MACS is too small for the proposed number of students and therefore not compliant with the minimum lot size requirements of the LDC.

Answer:

No. Fla. Stat. § 1002.33, which became effective July 1, 2025, prohibits local governments from imposing greater standards and restrictions on charter schools than on public schools. Sec. 4.02.13 of the LDC setting forth the minimum lot size requirements only applies to "Private Schools/Charter Schools." See below:

4.02.13. PRIVATE SCHOOLS / CHARTER SCHOOLS.

A. Dimensional requirements.

1. Minimum lot area shall be the minimum lot area required for the specific zoning district where allowed (R-2 = 21,780 sf (0.5 acres) + C-1 = 10,000 sf (.23 acre); TOTAL = 31,780 sf (0.73 acres)) plus one (1) acre for every one hundred (100) students (or fraction thereof)(0.57 acres), except where the lot size is five (5) acres or more, based on building code capacity.

The LDC does not impose these same restrictions upon public schools. Accordingly, this section of the LDC imposing a minimum lot size upon a charter school is unenforceable and pre-empted by state law.

Charter schools that are not conversion schools are governed by the Florida Building Code.

Florida Building Code Sec. 453.8.2 states school facility size shall be subject to the standards set forth in the “size of space and occupant design criteria table” found in the Department of Education’s “State Requirements for Educational Facilities.”

However, Fla. Stat. § 1002.33(18)(a) states “[a] startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. . . .

Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37.

Fla. Stat. § 1013.36 provides that “[e]ach new site selected must be **adequate in size** to meet the educational needs of the students to be served on that site by the original educational facility or future expansions of the facility through renovation or the addition of relocatables.”

All of these statutory provisions address the size of the actual facility, not the size of the lot on which the facility is constructed.

Issue #3:

Whether MACS needs a special use permit since 1 parcel of the site is zoned R2 and Sec. 2.02.03(C) of the LDC states a special use permit is required for public and private schools in residential district.

Answer:

Yes. Fla. Stat. § 1002.33, which became effective July 1, 2025, prohibits local governments from imposing greater standards and restrictions on charter schools than on public schools. Because the LDC applies the same standard to public and private schools, it is not pre-empted by statute in this respect and MACS must obtain a special use permit to operate on the residential parcel.

TOWN OF MICANOPY

TO: Town of Micanopy Commission
 FROM: Town Attorney, A. Derek Folds
 DATE: January 22, 2026
 RE: Quasi-Judicial Hearing Procedure

Definition of Quasi-Judicial Hearing

A public hearing at which the Commission applies existing policies and regulations to a specific property. The parties must be given notice and an opportunity to be heard at the public hearing after which the Commission will make findings of fact and conclusions of law on the issue.

Decision

The Commission is tasked with deciding whether the MACS Final Site Plan approved by the PHPB on December 16, 2025 complies with the Comprehensive Plan and Land Development Code.

Parties

Applicant: The owner of the property (or the owner's agent or other person with written consent of the owner) who has applied for a decision on the applicability of existing policies and regulations to the owner's property.

Staff: Town Manager and Town Clerk

Affected Party: The current Land and Development Code (LDC) does not currently define "affected party". However, "aggrieved person" is defined in the LDC for purposes of standing to file an appeal. An "aggrieved person" is someone who owns property within 400 feet of the property subject to the quasi-judicial hearing. As a result of the lack of definition in the current LDC, the Town currently accepts the registration of any person who so desires to register as an affected party.

Rights of Parties

All parties may introduce evidence, call and examine witnesses, cross-examine witnesses, and rebut evidence introduced by other parties.

Non-Parties

Participants: Members of the general public (other than those people named above as parties) who offer testimony at the hearing.

Attorneys: The Town Attorney and attorneys for any parties are not parties and their statements are not evidence unless they are sworn in and make statements based upon actual personal knowledge.

Review Standard

De novo, which means “anew” or “from the beginning”. Accordingly, the Town Commission will hear the Final Site Plan as if it had never been heard by the PHPB and may only consider evidence presented at the January 26, 2026 hearing.

Evidentiary Standard

The decision of the Commission must be based upon competent, substantial evidence. This means the evidence (testimony, documents, etc.) must be based upon personal observations that establish a substantial basis as to whether the Applicant’s specific property proposal complies with existing policies and regulations. Expert witnesses may provide both fact and opinion testimony on matters that require specialized knowledge.

Preliminary Matters

Town Attorney will read into the record the Applicant’s name, file number, and the subject matter to be decided.

Town Attorney will explain the rules concerning evidence as follows per LDC 10.10.10:

Testimony or other evidence that is irrelevant or immaterial to the issue to be decided by the Commission is inadmissible. The Mayor shall make rulings on objections to the relevance and materiality of the examination. A commission member, party, or staff member may raise an objection to the possibly irrelevant and immaterial testimony or evidence. During the presentation by the opponents or proponents of an issue before the Commission, no one may present testimony or evidence which is unduly cumulative or repetitious of previously presented testimony or evidence by a fellow opponent or proponent.

Mayor may set reasonable time limits on the presentation of testimony and other evidence, provided that all parties to the proceedings are given adequate time to fully present their cases.

Order of Proceedings

Town Attorney will announce each step:

1	The Board or Commission shall determine whether it has jurisdiction over the matter.
2	Members of the Board or Commission shall, if necessary, state whether they have a conflict of interest or must otherwise disqualify themselves from hearing the case. *see attached for what constitutes a conflict of interest or reason for disqualification
3	Members of the Board or Commission shall disclose and place on the record any ex parte contacts relating to the matter before the Board or Commission. *see attached for what constitutes ex parte communication
TOWN ATTORNEY TO COLLECTIVELY SWEAR IN ALL PARTIES AND PUBLIC PARTICIPANTS WHO INTENT TO TESTIFY AS WITNESSES.	
4	Introduction of the Petition by the Town
5	Presentation of Applicant's Case
6	Presentation of Staff's Case
7	Presentation of Affected Party's Case
8	Rebuttal by Applicant
9	Rebuttal by Staff
10	Rebuttal by Affected Parties
11	Public Input
12	Deliberation and Vote of Board or Commission
13	Preparation of Final Order
14	Approval of Final Order

Site Plan Submittal Requirements

If an item below is not applicable, there must be a written explanation of why the item is inapplicable.

LDC 10.02.09(D)

1. A legal description of the property under review for site plan approval.
2. Site conditions information, including:
 - a. A topographic map of the site of a scale a scale of 1 inch equaling no more than 100, showing at least five-foot contours in residential zones and two-foot contours in the 100 year flood prone areas.
 - b. Generalized soil types in the project area and in the surrounding area, if significantly different from the project area.
 - c. A scaled plan indicating the type and location of existing vegetation, including a written statement indicating the approximate size and location of major tree groupings as described in Article VI. Aerial and on-site photographs may be used to show vegetation.
 - d. A preliminary sedimentation control plan shall be submitted indicating the manner by which on-site generated sediment will be retained. The plan shall assure that sediment volume from the development leaving the property shall not be increased above the level existent prior to the beginning of construction activity.
3. A site condition map including:
 - a. A general location map showing the relationship of the site to such external facilities as streets, residential areas, commercial facilities and recreation/open space areas.
 - b. The location of all existing public streets, rights-of way, easements and other reservations of the land in the area of the property in question, means of ingress and egress to all such properties, off-street parking, loading and service areas, if any, for or on such properties and any screening or buffers on such properties and the nature and type thereof.
 - c. The location, size and capacity of all existing utilities, including existing fire hydrant locations.
 - d. The location of all water holding or carrying facilities, natural or man-made, including creeks, ponds, sinkholes, ditches, culverts, storm sewers, and the direction of surface flow.
4. A dimensional site development plan of professional quality drawn at a suitable scale, but not smaller than one inch equals 60 feet. A smaller scale for very large land area (over 40 acres in size) may be accepted upon approval of the Planning and Historic Preservation Board showing:
 - a. The name of the person or firm who prepared the plans, the name of the developer, the name of the proposed project or development, a north arrow and date.

b. The location of all proposed streets, driveways or other facilities designed to accommodate vehicular movement in the development and points of ingress and egress, parking areas including the exact number of spaces and loading and service areas (location of dumpsters and any utility buildings) and a traffic impact analysis of projected trip generation, including methods of circulation for the development.

c. The location and dimensions of all proposed buildings and structures to be included in the development:

i. For all development, indicating the gross area of all buildings.

ii. For residential development, indicating the exact number of dwelling units classified by numbers of bedrooms (number of one bedroom units, number of two-bedroom units, etc.).

d. Dimensions of all yard setbacks and open spaces.

e. Location of all open space and recreation areas, planned with attention to their adequacy in terms of size and placement, their effect on privacy of adjacent living areas and their relationship to community-wide open spaces and recreation facilities.

f. The manner of drainage of the property, showing the manner of drainage of all impervious surfaces (including roofs of buildings) and all green areas, including all control devices such as storm sewers and retention or detention facilities.

g. The percentage of the site that will be covered by buildings and structures and the percentage that will be covered by streets, drives, parking and loading areas.

h. A grading plan including all finished elevations and contours.

i. The exact location of all public use easements.

j. The exact location of all utility services, including connection points to the main systems and fire hydrant locations.

k. A landscape plan with written comments from the Town Tree Preservation Committee.

l. A drainage plan including depth dimensions, capacities, cross-section dimensions and statement of ratio or percentage of side slope angle of retention or detention facilities. Slope angle to depth of facility must meet St. Johns River Water Management District specifications.

m. The size, location and type of all signage.

n. The size, location, orientation, photometrics and intensity of all exterior lighting fixtures and devices.

o. Architectural elevations of all buildings and structures.

- p. A development timetable, if project is to be constructed in phases.
- q. A sedimentation plan indicating the manner by which anticipated sediment and debris, generated within the confines of the development, will be retained on site (examples: hay bales, sediment traps, berms, etc., as appropriate to the situation).
- r. Information about the type and location of existing vegetation, including a written statement indicating the approximate size and location of major tree groupings and all individual trees with a trunk diameter of 12 inches or more at a point 4 ½ feet above ground level. Aerial and on- site photographs may be used to show vegetation.

10.02.09(E)

1. Restrictions pertaining to the type and use of existing or proposed improvements, waterways, open spaces, building lines, buffer strips and walls, and other restrictions of similar nature, shall require the establishment of restrictive covenants and such covenants shall be submitted with the Final Site Plan for recordation.
2. Where the development includes private streets, ownership and maintenance association documents shall be submitted with the Final Site Plan and the dedication contained on the site plan shall clearly indicate the roads and maintenance responsibility to the association without recourse to the Town or any other public agency.
3. No man-made lake, pond, and other man-made body of water, excluding retention/detention areas shown on the Final Site Plan, shall not be shown as dedicated to the public unless approved by the Town.

Site Plan Review Standards: All site plans must meet the following criteria:

- A. Enhance and protect the public health, safety and welfare of the Town of Micanopy.
- B. Result in the least possible detrimental impact to the site and surrounding areas and not reduce the safety, light or general convenience of neighboring developments.
- C. Assure safe and convenient ingress to and egress from the property and internal circulation, including access of service and emergency vehicles and design of off-street parking and loading areas.
- D. Provide safe location and orderly arrangements and spacing of all buildings and structures.
- E. Minimize environmental damages caused by needless destruction of natural vegetation and natural features on the site.
- F. Provide for needed utilities, including fire hydrants, assure that the cost to the public in supplying connection points is reasonably minimized, and assure that safe and reasonable traffic circulation patterns are provided for garbage trucks and public safety vehicles of all types.
- G. Provide means of minimizing unreasonable intrusions of noise, light, odor, dust and other such annoyances into the privacy, quiet and habitability of surrounding areas.
- H. Assure that external and internal signs comply with the Town's sign regulations and that reasonable measures are taken in their placement and size to eliminate traffic hazards caused by sight obstructions in entering, leaving or passing by the area.
- I. Assure that external and internal outdoor lighting types and placement do not constitute a hazard to traffic and do not unreasonably intrude into the privacy and habitability of surrounding areas.
- J. Make reasonable provision for recreation facilities and open space to meet the needs of the proposed development, taking advantage of the availability of community open space and recreation facilities.
- K. Indicate that reasonable consideration has been given to the proximity of public facilities such as fire and sheriff's stations, schools and health care facilities and to the desirability of designating sites for such facilities within the site.
- L. The comments of the owners of adjacent properties and other neighbors of the proposed development plan have been taken into account and where reasonable comments have been made, the Planning and Historic Preservation Board, at a public hearing, may incorporate any reasonable comments into the design of the development plan to decrease any adverse impact the development plan may have on adjoining properties and the neighborhood in which it is located.
- M. The development plan conforms in all regards with the management plan approved by the St. Johns River Water Management District for such basin.
- N. The development plan conforms in all regards to the requirements of the Town of Micanopy Land Development Code and Comprehensive Plan.



Town of _____
Micanopy
Florida

Citizen Appeal Application Form

Town of Micanopy – Application for Town Commission Review of a Planning & Historic Preservation Board Decision
(Section 10.13, Land Development Code)

APPLICANT INFORMATION

Name: Michael D. Roberts
Mailing Address: 551 Seminary Ave.
City/State/ZIP: Micanopy, FL 32667
Email: yucon@bellsouth.net
Phone: 352 234 0066

STATUS AS AN “AGGRIEVED PERSON”

(Required under LDC §10.13.02)

Please check **one** that applies:

- I am the applicant for the project that was decided by the Planning & Historic Preservation Board.
- I reside within 400 feet of the subject property **and**
 - I submitted written comments at the PHPB hearing, **or**
 - I provided oral comments at the PHPB hearing.
- I am a Town Commissioner.

706 NE Cholokka Blvd.
PO Box 137, Micanopy, FL 32667-0137
(352) 466-3121 Town Hall (352) 466-4912 Fax
townhall@micanopytown.com

PROJECT INFORMATION

Project Name: MACS School Expansion

Project Location / Parcel ID: 16808-002-000&16520-067-000

Type of Approval Appealed (check one):

- Preliminary Site Plan
- Final Site Plan
- Special Use Permit
- Variance
- Lot Split
- Other (describe): _____

Date of PHPB Decision: _____

STATEMENT OF APPEAL

(Attach additional pages if necessary.)

Please describe specifically **what aspect of the PHPB decision you are appealing** and the basis for your appeal:

See attached

REQUIRED DOCUMENTS

Your submission **must include**:

1. This completed appeal application.
2. Any supporting documents you wish the Town Commission to consider.
3. A copy of any written comments you submitted to the PHPB (if applicable).

CERTIFICATION

I hereby certify that the information provided is true and correct, and that I am filing this appeal **within 20 calendar days** of the final PHPB hearing as required by LDC §10.13.03(B).

Signature: _____

Date: _____

706 NE Chokolka Blvd.
 PO Box 137, Micanopy, FL 32667-0137
 (352) 466-3121 Town Hall (352) 466-4912 Fax
townhall@micanopytown.com

Mike Roberts Appeal of Site Plan Approval for MACS
December 16, 2025

The approved site plan for the MACS does not comply with the Micanopy Comprehensive Plan and Land Development Code because the site design is too crowded and the school facility is oversized for the site. The site plan does not comply with the applicable school safety standards and requirements necessary to protect the safety and welfare of the students, staff and citizens of the Town of Micanopy. The school site is inadequate for the size of the facility and approved number of students for the school. The size and capacity of the approved school use is disproportionate to the needs, legal jurisdiction, and population of the Town of Micanopy. The intensity of development on this site unreasonably burdens the citizens of Micanopy with excessive traffic and safety impacts, and unreasonably diminishes the quality of life for the residents of Micanopy. The site plan does not adequately protect the adjacent residential uses from the noise, traffic, and light impacts of the school use. See attached documents in support of this appeal.

Questions

1) The MACS R-2 lot is half of the original platted lot 67 in Smith's subdivision which had already been split prior to 2023. Why was the MACS R-2 lot allowed to be split again in 2023 into even smaller lots without a replat and without meeting the minimum lot size requirements for an R-2 Zoning District.

2) How can you approve a Special Use for the R-2 lot when it fails to meet the required standards for special Use approval, specifically the R-2 lot does not meet the minimum lot size and was split in violation of the lot split code requirements and the R-2 minimum lot size requirements?

3) How can you allow a commercial waste water utility and commercial driveway on an R-2 lot when neither are allowed as of right principal uses, accessory uses, or special uses permitted in an R-2 Zoning District?

4) If the septic drainfield system is not an accessory use as per the Town Attorney's opinion letter, then isn't it a prohibited use?

5) How can MACS increase the size of the building by 249 square feet after the preliminary site plan approval with a smaller building. This was not an approved condition in the preliminary site plan hearing. The smaller building was approved "as presented" with no further changes allowed.

6) Why doesn't the new site plan show the setbacks for the R-2 lot as required by the Code's requirements for a complete site plan application?

NEXT PAGE

7) How can you approve a special use for an off site gravel parking lot drive not permitted in an R-2 Zoning District through when the Code requires a hardened surface for parking facilities?

8) How can you approve a site plan with a septic system designed for 100 students when the previous site plans were designed and previously approved for only 57 students?

9) Why can't you protect the abutting residential uses from traffic disruption, and light and noise pollution by requiring larger buffers and tall solid fencing???

10) Why can't you protect the mounded drainfield from parking and vehicle traffic by requiring a solid barrier separating the drainfield from the gravel drive turnaround?



Application for Land Use Approval

Date: 11/14/2025

Application Number: _____

Requested Approval

Certificate of Appropriateness

Lot Split

Variance

Re-Zoning

Site Plan Review

Sign

Fence

Tree Removal

Other Special Use Permit

Property Owner Name: Micanopy Area Cooperative School Inc.

Property Owner Mailing Address: 802 NW Seminary Ave, Micanopy, FI 32667

Applicant (if other than property owner): JBPRO

Applicant Mailing Address: 3530 NW 43rd Street, Gainesville, FI 32606

Owner/Applicant Telephone: 352 - 375 - 8999 Email tim.boehlein@jbpro.com

Property Tax Parcel Number: 16808-002-000 & 16520-067001 Current Zoning: _____

Property Street Address: 803 NW Seminary Ave, Micanopy, FI 32667

Requested/Proposed Action: To approve a special use permit for the portion of land zoned R-2 and allow for accessory uses such as the septic tank and turn-around area for vehicles to be placed on the parcel.

Reason/Justification for this Application: _____

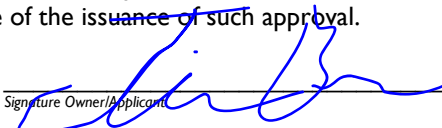
The Town of Micanopy comprehensive plan states that educational facilities are an allowable use on residential properties. The land development code states that educational facilities are allowable on residential properties with a special exemption. State Statutes do not allow additional conditions to be placed on charter schools that are not placed on public educational facilities.

Included With this Application: Survey Site Plan Floor Plan
 Elevation Drawings Construction Drawings Project Photos
 Other: _____

Fee Amount: \$ _____ Date Paid: _____
 Cash Check: Date _____ Number _____

The undersigned property Owner/Applicant understands that this Application becomes a part of the permanent records of the Town of Micanopy; that the information and statements provided herein and documentation provided herewith are correct and true to the best of the undersigned's knowledge and belief, and all such information/documentation is public record; and that any work or other action associated with the approval granted must commence within one year of the date of the issuance of such approval.

Signature of Owner/Applicant:



Signature Owner/Applicant
11/14/2025

Date

Town of Micanopy

Approval Conditional Approval Denied

Comments and/or Conditions:

Planning & Historic Preservation Board:

Date: _____

Signature

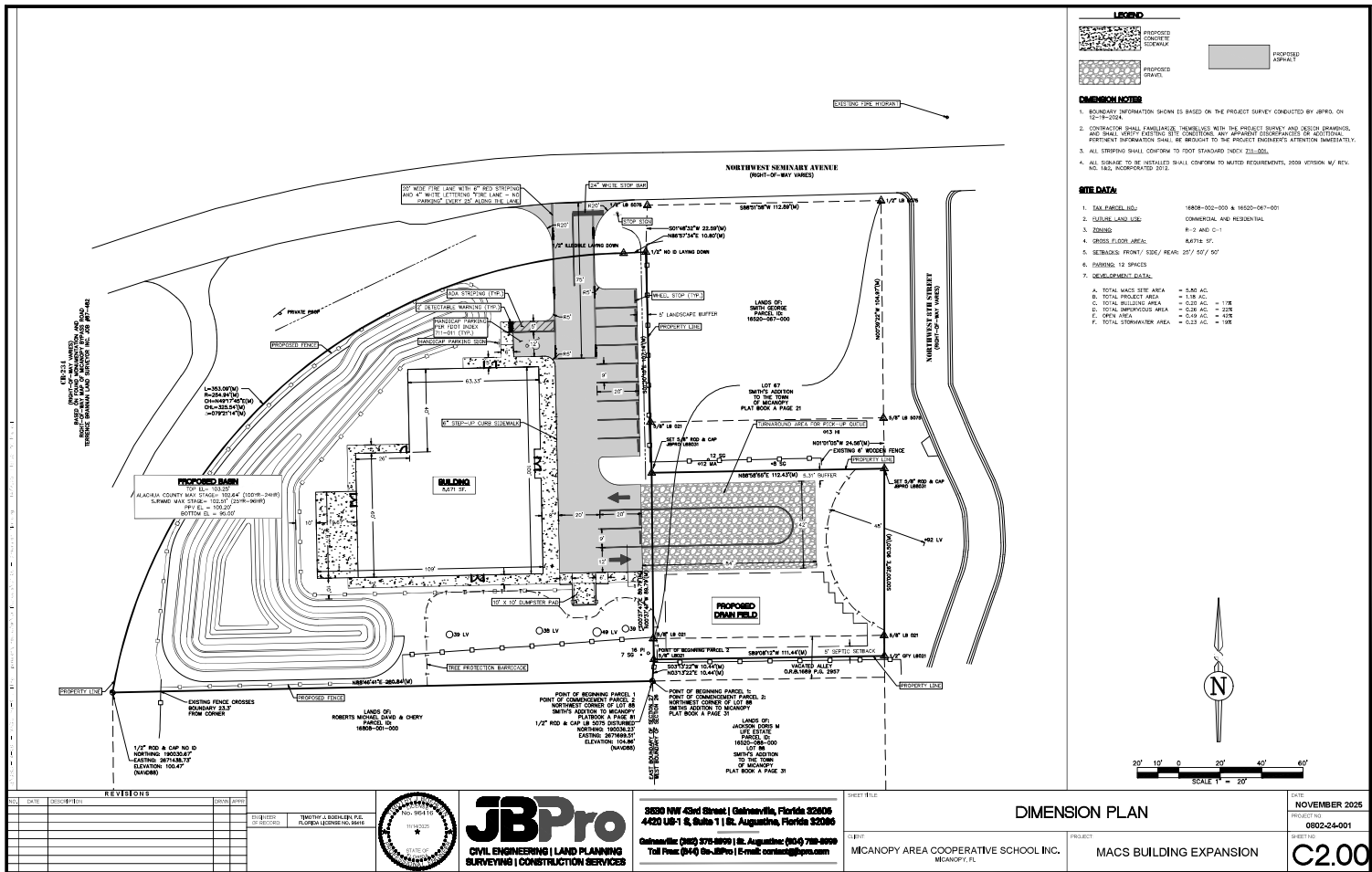
Printed Name & Title

Town of Micanopy:

Date: _____

Signature

Printed Name & Title



LEGEND

- PROPOSED CONCRETE
- PROPOSED GRAVEL
- PROPOSED ASPHALT

DIMENSION NOTES

- BOUNDARY INFORMATION SHOWN IS BASED ON THE PROJECT SURVEY CONDUCTED BY JBP, ON 02-19-2024.
- CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE PROJECT SURVEY AND DESIGN DRAWINGS AND SHALL VERIFY EXISTING SITE CONDITIONS. ANY APPARENT DISCREPANCIES OR OMISSIONS, PERTINENT INFORMATION SHALL BE BROUGHT TO THE PROJECT ENGINEER'S ATTENTION IMMEDIATELY.
- ALL SETBACKS SHALL CONFORM TO FOOT STANDARD INDEX ZILL-001.
- ALL DIMENSIONS TO BE VERIFIED SHALL CONFORM TO MUTED REQUIREMENTS, 0309 (VERSION W/ REV. NO. 1), FAC. ACCURATED 2012.

SITE DATA:

1. PARCEL/ACRES ID:	1808-002-000 & 18020-007-001
2. ZONING/LAND USE:	COMMERCIAL AND RESIDENTIAL
3. ZONING:	R-2 AND C-1
4. GROSS FLOOR LABEL:	8475 SF
5. SETBACKS: FRONT/ SIDE/ REAR:	20'/ 50'/ 50'
6. FINISHING: 12 SPACES	
7. DEVELOPMENT DATA:	
A. TOTAL WACS SITE AREA:	= 5.60 AC.
B. TOTAL PROJECT AREA:	= 1.18 AC.
C. TOTAL RESOLVE AREA:	= 0.00 AC. = 0%
D. TOTAL IMPURVIOUS AREA:	= 0.16 AC. = 2.7%
E. TOTAL OPEN AREA:	= 2.44 AC. = 43.2%
F. TOTAL STORMWATER AREA:	= 0.23 AC. = 4.1%

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHECK

DESIGNED BY: TWENTY-A BODILLEN P.E., FLORIDA LICENSE NO. 18416

PROPOSED

PROPOSED

JBPro

CIVIL ENGINEERING | LAND PLANNING
SURVEYING | CONSTRUCTION SERVICES

3630 NW 43rd Street | Gainesville, Florida 32605
4420 US-1 S, Suite 1 | St. Augustine, Florida 32086
Gainesville: (352) 376-8990 | St. Augustine: (813) 788-0998
Toll Free: (844) Go-JBPro | E-mail: contact@jbpro.com

SHEET TITLE: **DIMENSION PLAN**

CLIENT: MICANOPY AREA COOPERATIVE SCHOOL INC. MICANOPY, FL.

PROJECT: MACS BUILDING EXPANSION

DATE: NOVEMBER 2025

PROJECT NO: 0802-24-001

SHEET NO: **C2.00**



Town of _____
Micanopy
Florida

Citizen Appeal Application Form

Town of Micanopy – Application for Town Commission Review of a Planning & Historic Preservation Board Decision
(Section 10.13, Land Development Code)

APPLICANT INFORMATION

Name: Michael D. Roberts
Mailing Address: 551 Seminary Ave.
City/State/ZIP: Micanopy, FL 32667
Email: yucon@bellsouth.net
Phone: 352 234 0066

STATUS AS AN "AGGRIEVED PERSON"

(Required under LDC §10.13.02)

Please check one that applies:

- I am the applicant for the project that was decided by the Planning & Historic Preservation Board.
- I reside within 400 feet of the subject property and
 - I submitted written comments at the PHPB hearing, or
 - I provided oral comments at the PHPB hearing.
- I am a Town Commissioner.

706 NE Chokolka Blvd.
PO Box 137, Micanopy, FL 32667-0137
(352) 466-3121 Town Hall (352) 466-4912 Fax
townhall@micanopytown.com

PROJECT INFORMATION

Project Name: MACS School Expansion

Project Location / Parcel ID: 16808-002-000 & 16520-067-000

Type of Approval Appealed (check one):

- Preliminary Site Plan
- Final Site Plan
- Special Use Permit
- Variance
- Lot Split
- Other (describe): _____

Date of PHPB Decision: December 16, 2025

STATEMENT OF APPEAL

(Attach additional pages if necessary.)

Please describe specifically what aspect of the PHPB decision you are appealing and the basis for your appeal:

See Attached basis for appeal

See attached supporting documents and by this reference I incorporate all documents contained in all MACS applications filed in 2025

REQUIRED DOCUMENTS

Your submission must include:

1. This completed appeal application.
2. Any supporting documents you wish the Town Commission to consider.
3. A copy of any written comments you submitted to the PHPB (if applicable).

CERTIFICATION

I hereby certify that the information provided is true and correct, and that I am filing this appeal within 20 calendar days of the final PHPB hearing as required by LDC §10.13.03(B).

Signature: Michael D Rabate
Date: 02-11-2026

706 NE Chokolka Blvd.
PO Box 137, Micanopy, FL 32667-0137
(352) 466-3121 Town Hall (352) 466-4912 Fax
townhall@micanopytown.com

Issue 1

Are Micanopy's minimum lot size requirements provided in Micanopy Code Section 4.02.13 unenforceable against the MACS proposed use of the R-2 lot as a public school because it is a charter school as provided in Florida Statute 1002.33?

- i. Front: one hundred (100) feet;
- ii. Side, each: thirty-five (35) feet;
- iii. Rear: fifty (50) feet

2.02.03 RESIDENTIAL DISTRICTS: R-1 and R-2.

A. Purpose.

- 1. The R-1 district is designed primarily to accommodate low density single family residences in areas that are not served by public water or central sewer facilities and are not yet appropriate for development at higher densities.
- 2. The R-2 district is designed primarily to accommodate single-family detached residential uses (other than mobile homes) at densities to be determined by the availability of public water and central sewer facilities.

B. Uses Permitted by Right

- 1. Single family dwelling units.
- 2. Public parks and recreational facilities.
- 3. Public buildings and facilities in keeping with the character and requirements of the district except those otherwise specified.

C. Uses Permitted by Special Use Permit

- 1. Public and private elementary, middle, and high schools.
- 2. Parks maintained by any private association of persons residing in the district.
- 3. Nursing homes, rehabilitation facilities, and assisted-living facilities.
- 4. Places of worship and assembly.
- 5. Cemeteries and mausoleums.
- 6. Day care centers, which are not considered Family Day Care Centers by the State of Florida.

- 7. Home Occupations.
- 8. Homes of seven (7) or more residents which otherwise meet the criteria of a Community Residential Home.

D. Dimensional Requirements: All principal and accessory structures shall be located and constructed in accordance with the following requirements:

	R-1	R-2
Principal Structures		
Minimum lot area	1 acre	0.5 acre
Minimum lot width	100 feet	85 feet
Minimum yard setbacks:		
Front	25 feet	25 feet
Side	25 feet	15 feet
Side, road	25 feet	15 feet
Rear	50 feet	15 feet
Maximum structure height	40 feet	40 feet
Accessory Structures		
Side/rear setbacks	5 feet	5 feet
Maximum structure height	25 feet	25 feet

2.02.04 COMMERCIAL, MIXED-USE DISTRICTS: C-1 and C-2

A. Purpose

- 1. C-1 Limited Commercial District. The C-1 district is intended for general retail and commercial or office service activities. Businesses in this category require locations that are convenient to automotive and pedestrian traffic. Higher density residential uses are permitted. Single-family structures or duplexes may be permitted.
- 2. C-2 General Commercial District. The C-2 district is designed to accommodate more intense commercial activities that generally require large land areas. Higher density residential uses are permitted. Single-family residences may be permitted. This district generally does not cater to pedestrians. Any commercial use proposed within 100 feet of a parcel of property used for residential purposes or which has a zoning designation of R-1 or R-2.

ARTICLE 4. SPECIFIC USES

4.01 APPLICABILITY.

4.01.01 The requirements of this Article shall be applicable to each specific use identified herein, regardless of the zoning district in which the use is located, regardless of whether the use is permitted as of right or by special use permit, and regardless of any less restrictive requirements generally applicable to the district in which the use is located. However, when any particular requirement or limitation generally applicable in any zoning district, or when any requirement or limitation imposed by the Town Commission as a condition of a special use permit approval, is additional to or more restrictive than the requirements and limitations contained in this article, the additional and more restrictive requirements or limitations shall apply, unless specifically provided otherwise in this Article.

4.01.02 In any district where a use is permitted by a special use permit and the dimensional requirements for such use are not specified, any dimensional limitation shall be as required by the Town Commission. Such dimensional limitations shall be established in consideration of the general requirements for the particular zoning district and the general limitations on uses permitted by special use permit, but in no event shall they be less restrictive than any particular dimensional limitation specified in this Article.

4.02 SPECIFIC USE REGULATIONS

4.02.01 DAY CARE CENTERS.

A. Dimensional requirements. All day care centers shall be located and constructed in accordance with the following requirements:

1. Minimum lot area: Ten thousand (10,000) square feet.
2. Minimum lot width at minimum front yard setback: One hundred (100) feet.
3. Minimum yard setbacks:
 - a. Front: Twenty-five (25) feet.
 - b. Rear: Twenty (20) feet.

2. Separate toilet and bathing facilities for the exclusive use of guests must be provided.
3. Rentals shall be on a daily basis. The maximum stay for an individual guest shall be thirty (30) days in a twelve-month period.
4. The Alachua County Health Department shall approve cooking facilities. Cooking shall be permitted in bed and breakfast establishments located in residential zoning districts for overnight guests and residents only. No cooking facilities shall be allowed in guest bedrooms.
5. Neither hired receptions nor parties shall be permitted in bed and breakfast establishments located in residential zoning districts.
6. Bed and breakfast establishments must comply with appropriate health permits, building and fire codes, and business licenses, including but not limited to a license from the Florida Division of Hotels and Restaurants, if applicable to such use.
7. In addition to the parking required for the residence, one (1) parking space shall be provided for each guestroom. The Planning and Historic Preservation Board may vary the parking requirement based on site constraints including, but not limited to, small yards, inadequate space for parking, and the availability of on-road parking.
8. Signs shall be no larger than twenty-four (24) square feet in size.

4.02.13. PRIVATE SCHOOLS / CHARTER SCHOOLS.

A. Dimensional requirements.

1. Minimum lot area shall be the minimum lot area required for the specific zoning district where allowed plus one (1) acre for every one hundred (100) students (or fraction thereof), except where the lot size is five (5) acres or more, based on building code capacity.
2. Minimum yard setbacks:
 - a. Front: Twenty-five (25) feet.

b. Rear: Twenty (20) feet. Except where the yard abuts property which is in a residential district or which is shown for residential use on the land use element of the comprehensive plan: Fifty(50) feet.

c. Side:

i. Interior: Twenty (20) feet. Except where the yard abuts property which is in a residential district or which is shown for residential use on the land use element of the comprehensive plan: Fifty (50) feet.

ii. Road: Twenty-five (25) feet.

3. Maximum building height: Thirty-five (35) feet.

4.02.14. ALCOHOLIC BEVERAGE ESTABLISHMENTS.

A. Spacing requirements.

- 1. No alcoholic beverage establishment may be located within five hundred (500) linear feet of an established place of worship and assembly, which distance shall be measured by extending a straight line from the nearest property line of the alcoholic beverage establishment to the nearest property line of the place of worship and assembly.
- 2. No alcoholic beverage establishment may be located within five hundred (500) linear feet of any public or private school, which distance shall be measured by extending a straight line from the nearest property line of the alcoholic beverage establishment to the nearest property line of the school.

B. Site plan approval. Site plan approval shall be required prior to the issuance of a development order for any or all of the following:

- 1. The construction of any new alcoholic beverage establishment or any change of any use of space for new alcoholic beverage establishments;
- 2. The construction of any new parking spaces required or provided for the building or structure in which an existing

LEGAL OPINION

TO: Planning and Historic Preservation Board (PHPB)
 FROM: Office of the Town Attorney
 DATE: December 15, 2025
 RE: MACS Final Site Plan

Context:

The MACS Final Site Plan Review is scheduled to be heard on December 16, 2025. The MACS Preliminary Site Plan Review was conducted on October 7, 2025 at which the PHPB voted unanimously to approve the site plan with the following conditions:

1. Final review by the Town's contracted planner and engineer for LDC compliance
2. Review by Alachua County Fire Marshall
3. Implementation of a tree protection zone as recommended by the tree committee

The PHPB will determine on December 16, 2025 whether all of these conditions have now been met upon review of the correspondence attached to the Agenda and testimony presented at the hearing.

Issue #1:

Whether the Site Plan is compliant with the setback requirements set forth in the LDC.

Answer:

Yes. The section of the LDC referenced by citizens at the October 7, 2025 meeting applies to "accessory structures", which is defined as "[a] subordinate detached structure, the use of which is customarily and normally incidental to that of the principal use on the same lot and does not include residential uses." The septic system/drain field in the site plan is not an accessory structure. It is an underground system. Accordingly, these setback regulations do not apply.

Issue #2:

Whether the lot size for MACS is too small for the proposed number of students and therefore not compliant with the minimum lot size requirements of the LDC.

Answer:

No. Fla. Stat. § 1002.33, which became effective July 1, 2025, prohibits local governments from imposing greater standards and restrictions on charter schools than on public schools. Sec. 4.02.13 of the LDC setting forth the minimum lot size requirements only applies to "Private Schools/Charter Schools." See below:

4.02.13. PRIVATE SCHOOLS / CHARTER SCHOOLS.

A. Dimensional requirements.

1. Minimum lot area shall be the minimum lot area required for the specific zoning district where allowed (R-2 = 21,780 sf (0.5 acres) + C-1 = 10,000 sf (.23 acre); TOTAL = 31,780 sf (0.73 acres)) plus one (1) acre for every one hundred (100) students (or fraction thereof)(0.57 acres), except where the lot size is five (5) acres or more, based on building code capacity.

The LDC does not impose these same restrictions upon public schools. Accordingly, this section of the LDC imposing a minimum lot size upon a charter school is unenforceable and pre-empted by state law.

Charter schools that are not conversion schools are governed by the Florida Building Code.

Florida Building Code Sec. 453.8.2 states school facility size shall be subject to the standards set forth in the “size of space and occupant design criteria table” found in the Department of Education’s “State Requirements for Educational Facilities.”

However, Fla. Stat. § 1002.33(18)(a) states “[a] startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. . . .

Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37.

Fla. Stat. § 1013.36 provides that “[e]ach new site selected must be **adequate in size** to meet the educational needs of the students to be served on that site by the original educational facility or future expansions of the facility through renovation or the addition of relocatables.”

All of these statutory provisions address the size of the actual facility, not the size of the lot on which the facility is constructed.

Issue #3:

Whether MACS needs a special use permit since 1 parcel of the site is zoned R2 and Sec. 2.02.03(C) of the LDC states a special use permit is required for public and private schools in residential district.

Answer:

Yes. Fla. Stat. § 1002.33, which became effective July 1, 2025, prohibits local governments from imposing greater standards and restrictions on charter schools than on public schools. Because the LDC applies the same standard to public and private schools, it is not pre-empted by statute in this respect and MACS must obtain a special use permit to operate on the residential parcel.

section and any other section of this Land Development Code or any caption, illustration, summary table or illustrative table, the specific section text of this Land Development Code shall control except as provided in Section 1.06.01.A, above.

- C. The word "shall" is mandatory and not discretionary. The word "may" is permissive.
- D. Words used or defined in the present tense shall include the future; words used in the singular number shall include the plural; and words in the plural shall include the singular, unless the context clearly indicates the contrary.
- E. The phrase "used for" includes "arranged for," "designed for," "maintained for," "provided for," or "occupied for."
- F. Unless the context clearly indicates the contrary, where the regulation involves two (2) or more items, conditions, provisions or events connected by the conjunction "and," "or," or "either...or," the conjunction shall be interpreted as follows:
 - 1. "And" indicates that all connected items, conditions, provisions or events shall apply.
 - 2. "Or" indicates that all connected items, conditions, provisions or events may apply singularly or in any combination.
 - 3. "Either...or" indicates that the connected items, conditions, provisions or events shall apply singularly but not in combination.
- G. The word "includes" or "including" shall not limit a term to the specified examples but is intended to extend its meaning to all instances or circumstances of the like kind of character.

1.05.02 DEFINITIONS.

- A. Whenever used in this Land Development Code, unless otherwise indicated, the terms Code, LDC, chapter, article, section and subsection shall refer to the Micanopy Land Development Code and the referenced provisions thereof.
- B. Any word or phrase used in this Land Development Code which is not defined in this Land Development Code shall have the common dictionary meaning most appropriate to the context in which the word or phrase is used or shall have the definition found in Florida Statutes.
- C. Throughout this Land Development Code, the following words and phrases shall have the meanings indicated unless the text of the article or section in which used clearly indicates otherwise:

Select Year: 2025 ▼ Go

The 2025 Florida Statutes

Title XLVIII
EARLY LEARNING-20
EDUCATION CODE

Chapter 1002
STUDENT AND PARENTAL RIGHTS AND
EDUCATIONAL CHOICES

[View Entire Chapter](#)

1002.33 Charter schools.—

(1) **AUTHORIZATION.**—All charter schools in Florida are public schools and shall be part of the state’s program of public education. A charter school may be formed by creating a new school or converting an existing public school to charter status. A charter school may operate a virtual charter school pursuant to s. 1002.45(1)(c) to provide online instruction to students, pursuant to s. 1002.455, in kindergarten through grade 12. The school district in which the student enrolls in the virtual charter school shall report the student for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school district shall not report the student for funding. An existing charter school that is seeking to become a virtual charter school must amend its charter or submit a new application pursuant to subsection (6) to become a virtual charter school. A virtual charter school is subject to the requirements of this section; however, a virtual charter school is exempt from subparagraph (7)(a)13., subsections (18) and (19), paragraph (20)(c), and s. 1003.03. A public school may not use the term charter in its name unless it has been approved under this section.

(2) GUIDING PRINCIPLES; PURPOSE; LEGISLATIVE INTENT.—

(a) Charter schools in Florida shall be guided by the following principles:

1. Meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within this state’s public school system.
2. Promote enhanced academic success and financial efficiency by aligning responsibility with accountability.
3. Provide parents with sufficient information on whether their child is reading at grade level and whether the child gains at least a year’s worth of learning for every year spent in the charter school.

(b) Charter schools shall fulfill the following purposes:

1. Improve student learning and academic achievement.
2. Increase learning opportunities for all students, with special emphasis on low-performing students and reading.
3. Encourage the use of innovative learning methods.
4. Require the measurement of learning outcomes.

(c) Charter schools may fulfill the following purposes:

1. Create innovative measurement tools.
2. Provide rigorous competition within the public school system to stimulate continual improvement in all public schools.
3. Expand the capacity of the public school system.
4. Mitigate the educational impact created by the development of new residential dwelling units.
5. Create new professional opportunities for teachers, including ownership of the learning program at the school site.

(d) It is the intent of the Legislature that charter school students be considered as important as all other students in this state and, to that end, comparable funding levels from existing and future sources should be maintained for charter school students.

(3) APPLICATION FOR CHARTER STATUS.—



Select Year: 2025 ▼ Go

The 2025 Florida Statutes

Title XLVIII
EARLY LEARNING-20 EDUCATION
CODE

Chapter 1000
EARLY LEARNING-20 GENERAL
PROVISIONS

View Entire
Chapter

1000.04 Components for the delivery of public education within the Florida Early Learning-20 education system.—Florida’s Early Learning-20 education system provides for the delivery of early learning and public education through publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

(1) **EARLY LEARNING.**—Early learning includes the Voluntary Prekindergarten Education Program and the school readiness program.

(2) **PUBLIC K-12 SCHOOLS.**—The public K-12 schools include charter schools and consist of kindergarten classes; elementary, middle, and high school grades and special classes; virtual instruction programs; workforce education; career centers; adult, part-time, and evening schools, courses, or classes, as authorized by law to be operated under the control of district school boards; and lab schools operated under the control of state universities.

(3) **PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.**—Public postsecondary educational institutions include workforce education; Florida College System institutions; state universities; and all other state-supported postsecondary educational institutions that are authorized and established by law.

(4) **FLORIDA SCHOOL FOR THE DEAF AND THE BLIND.**—The Florida School for the Deaf and the Blind is a component of the delivery of public education within Florida’s Early Learning-20 education system.

(5) **THE FLORIDA VIRTUAL SCHOOL.**—The Florida Virtual School is a component of the delivery of public education within Florida’s Early Learning-20 education system.

(6) **FLORIDA SCHOLARS ACADEMY.**—The Florida Scholars Academy is a component of the delivery of public education within the Florida Early Learning-20 education system.

History.—s. 6, ch. 2002-387; s. 23, ch. 2004-41; s. 69, ch. 2004-357; s. 1, ch. 2008-147; s. 3, ch. 2011-5; s. 11, ch. 2011-137; s. 19, ch. 2021-10; s. 3, ch. 2023-59; s. 6, ch. 2023-245; s. 7, ch. 2025-110.





Book	Policy Manual
Section	7000 Property
Title	SITE ACQUISITION
Code	po7240
Status	Active
Adopted	July 17, 2007
Last Revised	July 31, 2025

7240 - SITE ACQUISITION

Purpose of Site Acquisition

In order to operate, control, and supervise public schools in the District, this Board must make adequate provision for the acquisition of sites as are necessary and essential to accommodate students, faculty, administrators, staff, and activities of educational programs for the District, and to provide support services to those educational programs.

Before acquiring property for sites, the Board shall determine the location of proposed educational centers or campuses. In making this determination, the Board shall consider existing and anticipated site needs and the most economical and practicable locations of sites. Additionally, the Board will coordinate with the long-range or comprehensive plans of local, regional, and State governmental agencies to assure the consistency of such plans.

Each site identified for acquisition must:

- A. be adequate in size to meet the educational needs of the students to be served on that site by the original educational facility or future expansions of the facility through renovation or the addition of relocatables;
- B. meet standards prescribed in Florida law and such supplementary standards as the State Board of Education prescribes to promote the educational interests of the students;
- C. be well drained and suitable for outdoor educational purposes as appropriate for the educational program or collocated with facilities to serve this purpose;
- D. as provided in F.S. 333.03, the site must not be located within any path of flight approach of any airport;
- E. insofar as is practicable, not adjoin a right-of-way of any railroad or through highway and not be adjacent to any factory or other property from which noise, odors, or other disturbances, or at which conditions, would be likely to interfere with the educational program; and
- F. to the extent practicable, be chosen which will provide safe access from neighborhoods to schools.

Negotiations

The Superintendent shall be responsible for site acquisition negotiations and compliance with other provisions set forth in F.S. 1013.36.

Consideration of school site acquisition shall include the following factors:

- A. convenience for student transportation, both on foot and by way of efficient bus routing;
- B. available acreage for buildings, recreation, and parking with a recommended minimum of twenty (20) acres per elementary school site, thirty-five (35) acres per middle school site, and sixty-five (65) acres per high school site;
- C. sufficient distance from active airport pathways and railroads;
- D. ease of access, with a recommended minimum of two (2) roads reaching the site;
- E. avoidance of traffic hazards, noise, smoke, dust, and offensive odors;
- F. availability of utility service for water, sewage, and electricity;
- G. zoning of surrounding areas;
- H. soil and environmental suitability;
- I. land contour, which shall be reasonably level with good drainage;
- J. Board-solicited property value appraisals; and
- K. cost.

Appraisals

Before acquisition of real property, the Board shall obtain at least one (1) appraisal by an appraiser approved pursuant to F.S. 253.025 for each purchase in an amount greater than \$100,000 and not more than \$500,000. For each purchase in an amount in excess of \$500,000, the Board shall obtain at least two (2) appraisals by appraisers approved pursuant to F.S. 253.025. If the agreed to purchase price exceeds the average appraised value, the Board will approve the purchase by an extraordinary vote.

Public Records

In accordance with F.S. Chapter 1013, when the Board seeks to acquire by purchase any real property for educational purposes, every appraisal, offer, or counteroffer must be in writing and is exempt from the provisions of F.S. 119.07(1) until an optional contract is executed or, if no optional contract is executed, until thirty (30) days before a contract or agreement for purchase is considered for approval by the Board. If a contract or agreement for purchase is not submitted to the Board for approval, the exemption from F.S. 119.07(1) shall expire thirty (30) days after the termination of negotiations.

The Board shall maintain complete and accurate records of every such appraisal, offer, and counteroffer. For the purposes of this policy, the term "optional contract" means an agreement by the Board to purchase a piece of property, subject to the approval of the Board at a public meeting after thirty (30) days' public notice.

Nothing in this policy shall be interpreted as providing an exemption from, or an exception to, F.S. 286.011.

Approval of Site Acquisition

Official Board action during a public meeting is required to execute a valid contract, and a record of that action must be a part of the minutes of the Board. The process used in acquiring real property must be in accordance with law. Any deviation from the strict requirements of the law may render the transaction void.

Lease, Rental, or Lease-Purchase Agreements

Any lease, rental, or lease-purchase of educational plants, ancillary plants, and auxiliary facilities and sites shall adhere to the requirements of F.S. 1013.15.

Revised 7/31/25

© Neola 2025

Legal F.S. 1001.42

F.S. 1013.14

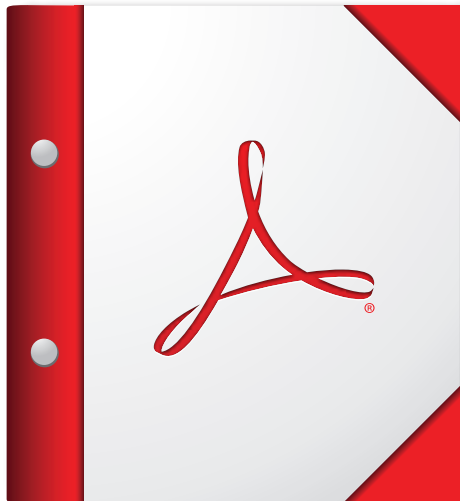
F.S. 1013.33

F.S. 1013.36

Item # 2.

Last Modified by Tamela Moody on August 25, 2025

Item # 2.



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)