
**Fox Lea Farm's Proposed
Additional Conditions/Stipulations and
Corrections to Binding Master Plan Notes**

ADDITIONAL CONDITIONS/STIPULATIONS

1. Construction Screen. Fox Lea Farm shall obtain a quote for the installation, rental, maintenance, and removal of a construction screen to locate near its northern property line during the land development and construction on the Property; this quote shall also include the cost of obtaining any permits necessary for installation of the construction screen (the "Construction Screen Quote"). Fox Lea Farm shall deliver the quote to the Developer within thirty (30) days from the Developer's receipt of zoning approval for the Property. The Developer shall deliver a check to Fox Lea Farm in the amount of the Construction Screen Quote, and upon receipt Fox Lea Farm shall immediately work to have the construction screen installed. The Developer shall not be permitted to commence any land development and construction activities on the Property, including but not limited to land clearing and grubbing, silt fence installation, tree and land surveying, etc., until the construction screen is completely installed and secured on Fox Lea Farm's property.

2. Fox Lea Drive Right-of-Way Vacation. The Developer shall support any application by Fox Lea Farm to vacate Fox Lea Drive and shall disclaim any rights in the northern half of same.

3. Water Table Monitoring and Mitigation Plan. The Developer shall comply with the terms of the "Water Table Monitoring and Mitigation Plan," which is attached hereto as **Exhibit "1."**

4. Enforcement. Fox Lea Farm shall have legal standing to enforce all stipulations, conditions, and safeguards imposed on the Property, which shall include those as set forth in the Binding Master Plan notes and all other documents under this Ordinance No. 2021-07, in a court of competent jurisdiction through temporary and permanent injunctive relief, or through any other remedy available under Florida law. No bond shall be required in any such action.

MODIFICATIONS TO BINDING MASTER PLAN NOTES

1. C) No Stormwater Discharge to Fox Lea Drive. But for the existing and historic drainage from the Property, no additional stormwater or other drainage from the Property shall be discharged into the existing ditch that runs along the northern side of the Fox Lea Drive right-of-way; therefore, the current and historic pattern and level of drainage into this ditch from the Property shall not change during the course of or as a result of land development and construction of the Property.

3. CONSTRUCTION AND STAGING CONDITIONS. The site preparation permit application and approval shall require the following conditions:

A. Berm and Wall on South Portion of Site to be Constructed First. The five-foot-high (5') berm within the Property's southern boundary shall be constructed immediately after land clearing is complete. Only the minimum amount of land clearing required to construct the berm shall occur. Once the berm is constructed, the eight-foot-high (8') wall shall be constructed. Construction of the berm and wall, as well as the installation of landscaping and any and all other work south of the wall, shall be commenced and completed within the months of July, August, September, and October. It is the intent of this stipulation that the parties communicate and the Developer schedules all land development and construction activities on the Property so to limit the impact on Fox Lea Farm's events and operations to the fullest extent possible

B. No Burning; Management of Chipping. The burning of land clearing material and debris is prohibited on the Property; in lieu of burning, the Developer shall utilize a wood chipper that is shielded by a berm, as specified herein. The Developer shall create a 12-foot tall temporary berm in the northeastern corner of the Property and position the wood chipper behind the berm for purposes of minimizing the sound impact on Fox Lea Farm. The wood chipper shall only be operated when located behind the fully constructed berm.

C. Construction Access to and from Property. Construction access to the Property shall be from N. Auburn Road and shall be clearly marked by signage, and there shall be no use of Fox Lea Drive as access to or from the Property at any time.