

On April 18, 2011, the Development Review Committee reviewed the proposed amendment and recommended approval. TetraTech provided comments but had no concerns about the project.

Fifty six (56) notices were sent to surrounding property owners. Two responses voicing opposition were received.

Also included for your review are a general location map, proposed Operating Permit OP2011-0001, and the application provided by the applicant.



SUMMER COUNTY ZONING AND ADJUSTMENT BOARD

910 N. Main Street, Suite 301 Bushnell, FL 33513
Tel. (352) 793-0270 Fax (352) 793-0274

Project No: OP2011-0001

Application: 3/4/2011 SCO

Parent Project: OP2006-0003

OPERATING PERMIT

PROJECT TYPE OPERATING PERMIT		PROJECT SUBTYPE LIMEROCK MINE		PROJECT DESCRIPTION Amendment to OP2006-0003	
AGENT/APPLICANT FCS James Morris - Regional Envir Manager			ADDRESS 11430 Camp Mine Road BROOKSVILLE, FL 34601		PHONE (352) 796-3522
OWNER FLORIDA, CRUSHED STONE COMPANY			ADDRESS 1501 BELVEDERE RD WEST PALM BEACH, FL 33406		PHONE 352
PARCEL # Q16=001	SEC/TWP/RNG 162123	GENERAL LOCATION CENTER HILL		DIRECTIONS TO PROPERTY E ON C-48. FLORIDA CRUSHED STONE ON N SIDE OF ROAD, JUST W OF CENTER HILL CITY LIMITS.	
Property Address 528 W KINGS HWY, CENTER HILL, FL 33514					
PARCEL SIZE 995 ACRES MOL		F.L.U. AG		LEGAL DESCRIPTION ALL OF SEC 16 INCLUDING ALL OF RR IN SEC 16 LESS THE S1/4 LYING W OF R/R & LESS SE1/4 OF SE1/4 & LESS APPROX 8 AC LYING OF AND ADJACENT TO RR BEING 500 FT WIDE MEASURED AT RIGHT ANGLES TO SCL R/W & RUNNING N/LY FROM S LINE OF SEC TO A PO	
PRESENT ZONING M1/A5		PRESENT USE LIMEROCK MINE			

Q16=002

S1/2 OF SW1/4 & SW. JF SE1/4 W OF RR

Q16=003

SE1/4 OF SE1/4 LESS APPROX 5 ACRES ACROSS SW COR SOLD TO FCS MINING CO OR 140 PG 488

Q16=004

A STRIP OF LAND LYING EAST OF SCL RR R/W BEING 500 FT WIDE MEASURED AT RIGHT ANGLES TO SCL R/W RUNNING FROM SOUTH LINE OF SECTION N/LY ALONG R/W TO A POINT ON E R/W SCL SAID POINT BEING 2500 FT N/LY ALONG SAID E R/W LINE OF SCL RR FROM IN

Q16=005

THAT PORTION OF A STRIP OF LAND LYING E OF SCL RR R/W BEING 500 FT WIDE MEASURED AT RIGHT ANGLES TO SCL R/W RUNNING FROM S LINE OF SECTION N/LY ALONG R/W TO A POINT ON E R/W SCL SAID POINT BEING 2500 FT N/LY ALONG SAID E R/W LINE OF SCL RR FROM IN

Q16=006

COMM AT S1/4 COR OF SEC THENCE E 438 FT N 1320 FT TO N LINE OF S1/4 E 65 FT TO W BOUNDARY OF RR R/W THENCE S 21 DEG 30 IN E TO S LINE OF S1/4 AND POB

Q17=009

SE1/4 OF SE1/4

Q17=011

THE E1/2 OF NE1/4 AND THE NE1/4 OF SE1/4

Q20=001

NE1/4 OF NE1/4

Q21=001

NE1/4 OF NE1/4 LYING E OF SCL R/W LESS HWY 48 R/W & LESS A STRIP OF LAND 500 FT WIDE MEASURED AT RIGHT ANGLES LYING EAST OF & ADJACENT TO SCL R/W LESS 1/3 INT IN MINERAL AND SURFACE RIGHTS

Q21=002

ALL NW1/4 OF NE1/4 W OF RR LESS BEG AT SE COR RUN N 20 FT FOR BEG RUN W/LY PARALLEL WITH PAVED RD 234.5 FT THENCE N 51 FT THENCE E 322 FT TO SCL R/W THENCE SE/LY ALONG W R/W 546 FT THENCE W/LY PARALLEL WITH RD 287 FT TO POB & N1/2 OF NW

Q21=026

A STRIP OF LAND LYING N OF AND ADJ TO N R/W LINE OF SR 488 & E R/W LINE OF SCL R/W BEING 500 FT WIDE MEASURED AT RIGHT ANGLES TO SCL R/W IN NE1/4 OF NE1/4 & THAT PORTION OF SCL RR IN THE NE1/4 OF NE1/4 OF SEC 21

Q21=027

COMM AR W BOUNDARY OF RR R/W & N LINE OF SECTION RUN S 21 DEG 30 MIN E 815 FT MOL THENCE W 322 FT S 512 FT W 576 FT N 1300 FT E TO W BOUNDARY OF RR R/W & POB

Q21=032

THAT TRIANGLE PARCEL LYING N & E OF W R/W LINE OF SCL RR LYING IN NW1/4 OF NE1/4

REQUESTED USE
AMEND OP2006-0003

ACREAGE TO BE UTILIZED
995 ACRES MOL

LEGAL DESCRIPTION TO BE UTILIZED
SAME AS ABOVE

As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.

FEES	Amount	Payment
Recording Fees	0 00	
Amendment to Operating Permit	3,000 00	C 9919
Postage Fee	25.52	
TOTAL	\$3,025.52	

UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

March 4, 2011

Signature(s)

Date

A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.

Development Review Committee 4/18/2011 2:00 PM Room: 142 Recommendation: Approve

County Commission Meeting 4/26/2011 5:30 PM Room: 142 Action: _____

NOTICES SENT

58

RECEIVED IN FAVOR

⊙

RECEIVED OBJECTING

2

Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.

**SUMTER COUNTY BOARD OF COMMISSIONERS
OPERATING PERMIT AMENDMENT FOR
CEMEX CENTER HILL LIMEROCK MINE**

OP2011-0001

Applicant. Cemex Construction Materials Florida, LLC / Mark Stephens, Colinas Group

Requested Amendement Amend the Operating Permit for the Cemex Center Hill limerock mine (OP2006-0003) to reference a new mining site plan that reconfigures three quarries into two quarries, within the existing limerock mine footprint authorized by Conditional Use C2006-0001

The applicant proposes to reconfigure Quarries A, B-1, and B-2 into two quarries within the same area of the mining facility. The proposed modification will create a more efficient operating plan and does not include any additional lands outside the existing permitted facility footprint.

Property Address. 530 West Kings Highway, Center Hill, Fl 33514

FINDINGS OF FACT

1. On September 26, 2006, the applicant was issued an operating permit (OP2006-0003) for a limerock mine facility on the subject property.
2. The operating permit (OP2006-0003) includes conditions that reference an "approved mining site plan" of the "Application for Operating Permit".
3. The approved mining site plan (OP2006-0003) includes three proposed quarries on the south half of the facility, Quarries A, B-1, and B-2
4. Section 13-174(d), Sumter County Land Development Code, requires the operator and property owner to have the full responsibility for compliance with all stipulations and conditions of the operating permit. In addition, an operating permit must be amended by the Board of County Commissioners for any substantial expansion, alteration or change authorized in the original operating permit.
5. On March 3, 2011, Mark R Stephens, of The Colinas Group, Inc, on behalf of Cemex Construction Materials Florida, LLC, submitted an application to modify Operating Permit OP2006-0003 for the Cemex Center Hill Mine.
6. The proposed modification is entirely within the permitted footprint authorized by the existing Conditional Use Permit (C2006-0001) and the existing Operating Permit (OP2006-0003).
7. The applicant has submitted documentation demonstrating that mining operations would be improved by reconfiguring Quarries A, B-1, and B-2 into two quarries, B-1 and B-2.

- 8 The requested modification will not change any other aspect of the mining operations approved by the operating permit (OP2006-0003).
- 9 On April 18, 2011, the Sumter County Development Review Committee (DRC) reviewed the proposed amendment to the operating permit (OP2006-0003). The DRC recommended approval of the operating permit amendment (OP2011-0001) subject to revision of the following condition:

B3. Mining Plan Incorporated by reference into this permit are the proposals and terms of the Application for Conditional Use Permit, May 8, 2006, proposal and terms approved by the Board of Sumter County Commissioners on July 6, 2006, and the proposals and terms in the Application for Operating Permit, September 11, 2006. The Application for Conditional Use Permit included the Environmental Monitoring and Management Plan, which includes specific details of the mining plan. That document is incorporated by reference, and made a part of this permit. Mining activity shall proceed according to the amended approved mining site plan signed and sealed on March 1, 2011

B5. Buffers and Setbacks.

Setbacks and buffers shall be as set forth on the approved mining site plan referenced in Condition B3. (Figure 2 of the "Application for Operating Permit") The approved site plan includes a 700' setback to be observed on the southern boundary parallel to C-48

CONCLUSIONS OF LAW

1. The Board of County Commissioners find that the revised configuration of Quarries A, B-1, and B-2 is a substantial change in the mining plans approved by the operating permit (OP2006-0003).
2. The Board of County Commissioners find the revised configuration of Quarries A, B-1, and B-2, as shown on the revised mine plans signed and sealed on March 1, 2011 (Exhibit 1), maintains the intent of Conditional Use approval CUP 2006-0001

FINAL ACTION

This amended operation permit is approved subject to the following:

- 1 The Board of County Commissioners amends the operating permit for Center Hill Mine (OP2006-0003) to reflect the reconfiguration of Quarries A, B-1 and B-2, as shown on the revised mining site plan submitted by Colinas Group, signed and sealed on March 1, 2011.
- 2 The general and specific terms and conditions of OP2006-0003 shall remain in full force and effect except conditions B3 and B5 as amended herein.

Don Burgess, Chairman
Board of County Commissioners

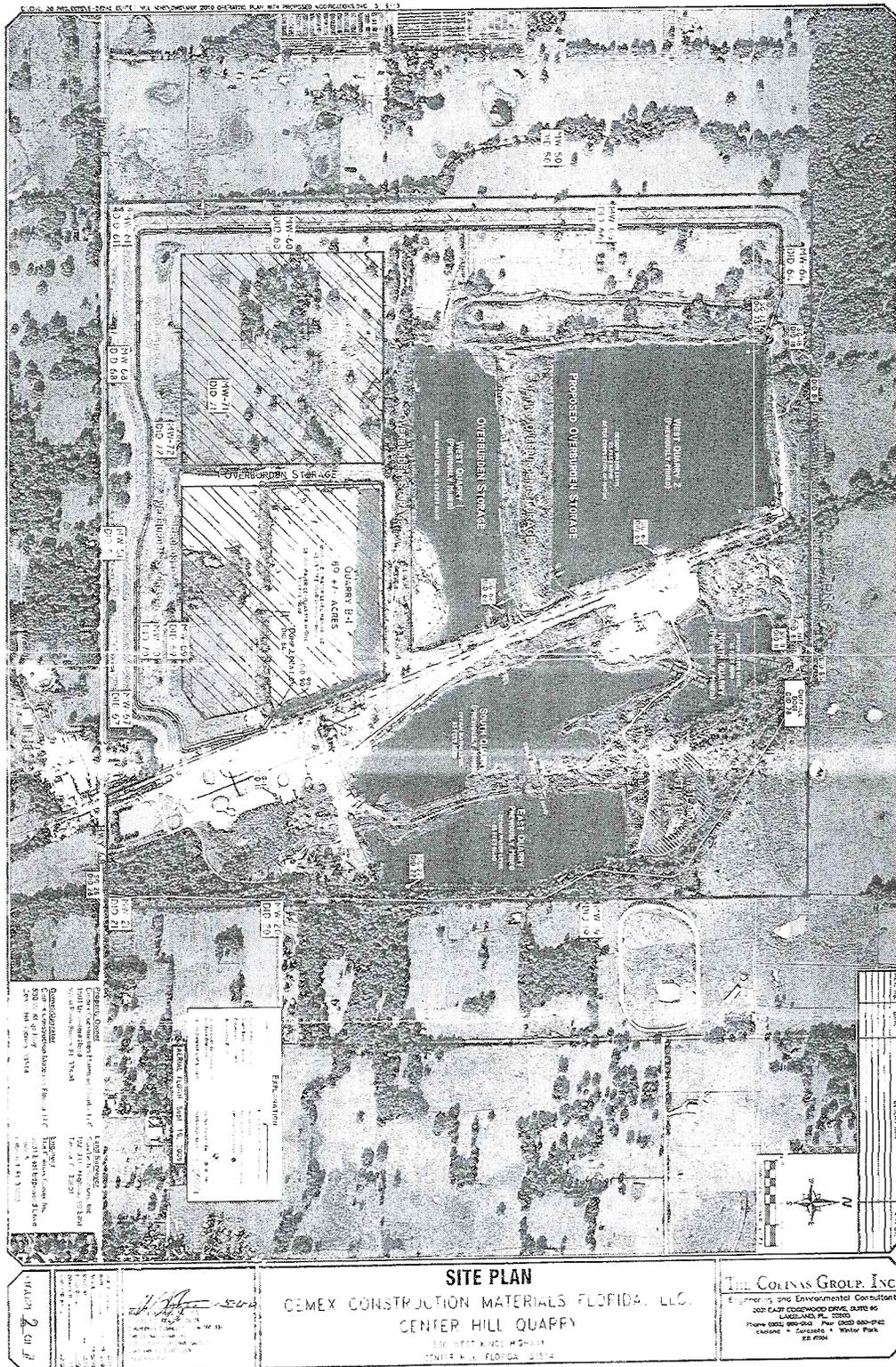
Deputy Clerk

Permit amended this 26st day of April 2011.

Bradley T. Cornelius, AICP, Director
Division of Planning and Development

EXHIBIT 1

AMENDED MINING SITE PLAN
SIGNED AND SEALED MARCH 1, 2011



OP2011-0001
CEMEX Construction Materials Florida, LLC
Center Hill Operating Permit Amendment
4/15/2011



April 15, 2011

Mr. Brad Cornelius
Director of Planning and Development
Sumter County
7375 Powell Road, Suite 115
Wildwood, FL 34785

**Subject: Minor Modification Operating Permit Review
Center Hill Mine
Cemex Construction Materials Florida, LLC.**

Tt #: 200-08476-09002/task 004

Mr Cornelius

As agreed, Tetra Tech's professional staff reviewed the above referenced Operating Permit application and attached appendices, reports, and drawings. As described in the permit application and attachments, the existing project includes mining of limestone primarily for construction, road base, and clean fill uses. Our review was conducted using the application for minor modification of the Operating Permit dated March 1, 2011, other publically available information such as aerial photographs, and applicable Sumter County rules and regulation.

Tetra Tech conducted a review of the operating permit application and the accompanying reports as part of our continuing services agreement to provide hydrogeological and engineering services to Sumter County. The application and attachments provided for this project were technically reviewed to ensure that the information provided by the applicant conforms to Sumter County rules and regulations for mining of limestone associated with this type of work.

Project Description

The Center Hill Mine is located in Sections 16, 17, 20, and 21, Township 21 South, Range 23 East, in Sumter County. The site is located on Highway 48 West in Sumter County, Florida, and the physical address is 530 West Kings Highway, Center Hill, Florida 33514. The subject property is located approximately 1 mile west of the intersection of County Road (CR) 469 and Highway 48 West (E CR 48), and is bordered by CR 48 to the south, and mostly undeveloped property to the west, north, and east, with the main access to the mine via CR 48 from the southeast. The Center Hill mine is owned and operated by Cemex Construction Materials Florida, LLC (Florida Crushed Stone Company). The reports included with the operating permit (OP) application identifies the Center Hill Mine as an 995-acre site within several existing mined quarries (ponds) that are used to transmit water throughout the site during the mining process.

The application package submitted by Cemex Construction Materials of Florida, LLC (Cemex) is for a minor modification of existing Operating Permit OP-2006-0003 in order to modify the quarry layouts. Cemex is proposing to eliminate Quarry A and increase the size of Quarries B-1 and B-2, in an effort to minimize impacts during mining of the new areas. The reasons cited for the modification of the quarry layouts are to reduce any potential impacts to the Hydraulic Barrier Ditch (HBD) during mining and blasting. Originally, Quarry A would have had a long quarry wall paralleling the HBD. There was concern that the de-watering discharge placed into the HBD would "short-circuit" back into Quarry A rather than recharging into the Floridan aquifer, as designed. In addition, removing Quarry A would eliminate the need for key cut during mining. Blasting effects of a key cut are more pronounced than normal blasting events and tend to generate more complaints. Also, key cut blasting along a quarry wall paralleling the HBD could cause some safety concerns because of the potential for causing direct water conduits from the HBD to the quarry.

The proposed mining modifications would extend Quarry B-1 and Quarry B-2 further south and eliminating Quarry A. The proposed changes to the operating permit increases the limestone extraction area by 22 acres, but does not expand the permitted mine limits. No new wetland impacts are proposed by this modification.

The submittal of the operating permit application also included an approval from the Florida Department of Environmental Protection (FDEP) for the proposed modification to the existing environmental resource permit (ERP) No. 211510-008.

Tetra Tech reviewed the OP application and the attached appendices, report, and drawings provided by Sumter County and offer the following questions/comments:

1. The proposed modification does not affect the operation of the onsite storm water drainage.
2. The fact that a key cut will not be necessary by extending Quarry B-1 and Quarry B-2 will likely reduce blasting impacts to adjacent property owners.
3. The proposed modifications to the operating permit do not appear to negatively impact the operating of the mine.

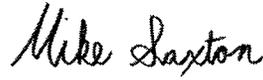
Please feel free to contact us if you have any additional questions or comments.

Very truly yours,

Tetra Tech, Inc.



Miguel Garcia, P.G.
Project Hydrogeologist



Michael Saxton, P.E.
Project Engineer

Attachments

MAG/sma/08476-09002/Cemex Center Hill OP rev.doc

- C. Aimee Webb, Sumter County
Charles Drake, PG, Tetra Tech



Villages Public Safety

Villages Center Community Development District.

1231 Bonita Blvd.

The Villages, Florida 32162

(352)205 8280

(352) 2058290 fax

April 11, 2011

Unit: Cemex Center Hill – fka Florida Crushed Stone Center Hill

Cemex Center Hill – fka Florida Crushed Stone Center Hill

I have reviewed the conditions of this project

The Villages Public Safety has no comments on this project

Capt. Daniel Hickey.

Fire Safety Inspector II

117980

Cent Hill
Cemex

Cassels, Sandy

From: Rolland_Shrewsbury@doh.state.fl.us
Sent: Thursday, April 07, 2011 4:53 PM
To: Cassels, Sandy
Cc: Webb, Aimee; Keith_Hunter@doh.state.fl.us, Sanford_Zelnick@doh.state.fl.us
Subject: FW: DRC agenda for 4/18
 Sandy.

Environmental Health has no comments for the projects scheduled for the April 18, DRC

Thanks

Rolland D. Shrewsbury, RS
 Environmental Manager
 Sumter County Health Department
 PO Box 98
 415 East Noble Ave.
 Bushnell, Florida 33513
 (352)793-7133 Fax (352)793-6045

Please note Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Cassels, Sandy [mailto:Sandy.Cassels@sumtercountyfl.gov]
Sent: Monday, April 04, 2011 11:22 AM
To: Bill Richards, Burris, Brad; Cassels, Sandy; Chris Wert; Cornelius, Brad; Dan Hickey; George Angeliadis; Jackey Jackson, Kathy Steele; Steele, Martin D; Nicole Stalder; Shrewsbury, Rolland D; Sarah Gill; Scott Cottrell, Tim Conner; Tina Chavez; Webb, Aimee
Cc: Anna Landman, Arnold, Bradley; Barbara Shaw; Bob Farner; Brandy Wilson, Brian Smalkoski; Chris Morrison; Daniel Silas, Dave Grimm, David Corder; Doug Smiley; Douglas, Jessica; eabshier1@cfl.rr.com; Gant, Stacy; Gary Moyer; George (Hogan Law Firm); Greg King; Gulbrandsen, Bill; Hart, Lita, Jennings Griffin, Jim Allen, Judge, Jim, Jim Spaulding; Joy staff @ springstead; Karen Parker; Kegan, Bob; Kelle Boyer; Kenny Rodrigue; kmorrison@farnerbarley.com, Lilian Haynes, Lonnie Edwards, Melaine Peavy; Melanie Laboy; Michael Tucker; Nancy Stump; Nicole Fort; Pattie Wholly; Phyllis Neuman; Richard Busche; Rita Deitrich, Robert Smith, Ron Grant; Sandra Howell; Shelly Martin, Stephanie Vaughn, Steve Roy; Tom McDaniel; Tom Pettus; Tracy Hunt; Vicki Suber; Webb, Connie; Wietan, Kristy
Subject: DRC agenda for 4/18

Hello everyone,

Following is the link for the April 18th DRC meeting. Please have all comments to Brad or myself by 2.00 p m Friday, April 15th.

<http://sumtercountyfl.gov/DocumentCenter/1.aspx?FID=323>

Sandy

***** Important Notice *****

The Board of Sumter County Commissioners is a public agency subject to Chapter 119 of

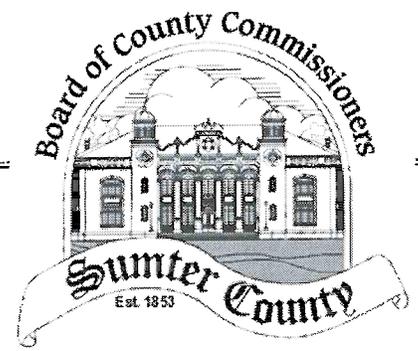
4/8/2011

Board of County Commissioners

Division of Planning & Development

Planning Services

7375 Powell Road, Suite 115 • Wildwood, FL 34785 • Phone (352) 689-4460 • FAX: (352) 689-4461
Website: <http://sumtercountyfl.gov/planning>



NOTICE OF PUBLIC HEARING

March 30, 2011

ROBERTS DAVID C & REGINA L
299 NAPIER RD
HOHENWALD, TN 38462



To property owners whose property lies within 500 feet of the outside perimeter of property owned by **Cemex Construction Materials Florida, LLC** whose property is being considered for an amendment to an existing approved operating permit. The amendment will modify the approved mining master plan by reconfiguring three quarries into two quarries, within the existing footprint of the facility.

The property is generally located as follows: Center Hill area. Approximately 1600 feet east of the intersection of C-48E and SE 55th Way on the north side of the road.

The request will be heard by the Board of Sumter County Commissioners on **Tuesday, April 26, 2011, at 5:30 p.m.** at **The Colony Cottage Recreation Center, 510 Colony Boulevard, The Villages, Florida** where a vote and final action will be taken.

Persons needing special assistance gaining access to the hearing or needing special assistance to be heard at the meeting should contact the County Administration Office at 352-689-4400 48 hours in advance to make special arrangements.

Written comments submitted will be included as part of the record. Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: Sumter County Planning Department, 7375 Powell Road, Suite 115, Wildwood, FL 34785.

I approve of the above.

I do not approve of the above for the following reason(s): To much blasting

And tears up our water pump, and noise level unacceptable

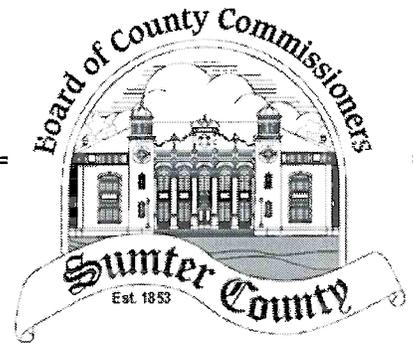
Please return no later than April 19, 2011.

RE: CASE# OP2011-0001.

Board of County Commissioners
Division of Planning & Development

Planning Services

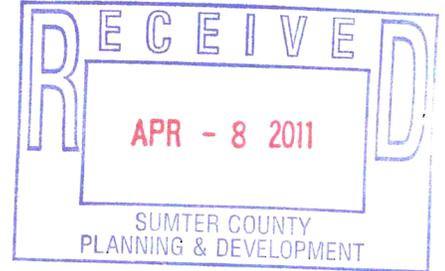
7375 Powell Road, Suite 115 • Wildwood, FL 34785 • Phone (352) 689-4460 • FAX: (352) 689-4461
Website: <http://sumtercountyfl.gov/planning>



NOTICE OF PUBLIC HEARING

March 30, 2011

SIMMONS JAMES GUY & LOIS
PO BOX 279
CENTER HILL, FL 33514



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_____ I approve of the above.

I do not approve of the above for the following reason(s). *They lied to the adjoining property owners and recinded on agreements - Destroyed the value of property value (more than the recession) Why send out these notices? They have ALL the COMMISSIONERS in their pocket.*

Please return no later than April 19, 2011

RE: CASE# OP2011-0001

Thanks to the addition of the rock mine, we could not sell this property (Even before the housing market fell) they have no liability for their actions. They are destroying the landscape in South Sumter County than will never be replaced except with deep-water pits.
Guy Simmons