

PLANNING AND ZONING SPECIAL MASTER
May 4, 2020

BOARD OF SUMTER COUNTY COMMISSIONERS
May 12, 2020

CASE NO.: S2020-0001

APPLICANT: James Gough for Tommy’s Hauling

REQUESTED ACTION: Renew and modifying a major special use permit for a sand excavation and hauling business.

LEGAL DESCRIPTION: LOT 6 BARWICK’S ADDITION; PB 1, PG 21

PARCEL NUMBER: J24A009

EXISTING ZONING: RR5C

EXISTING USE: Sand borrow pit and hauling business

FUTURE LAND USE: Agriculture

PARCEL SIZE: Five acres

GENERAL LOCATION: Sumterville area

SURROUNDING LAND USE:

NORTH: Rural Residential
SOUTH: Agriculture
EAST: Agriculture
WEST: Agriculture

SURROUNDING ZONING:

NORTH: RR5C –Borrow pit/hauling business
SOUTH: RR5C – Rural homesite
EAST: RR2C& RR2– Rural homesite
WEST: A10C – Borrow pit/hauling business

CASE SUMMARY:

The subject property is located at the western terminus of CR 526 (Map). The applicant is requesting the renewal and modification of a major special use permit (SUP) to allow sand excavation and reclamation of the existing borrow pit. The borrow pit has been played out and the applicant is asking to be able to refill the pit with clean fill, sand, clay and rock. The fill material will be deposited along the edges of the borrow pit, working toward the center.

The existing sand hauling business is a vested sand operation with a valid special use permit for sand excavation (S2015-0003). Special Use Permit S2015-0003 expired on April 14, 2020. Due to the COVID 19 crises, the renewal process has been delayed. The applicant filed application

for this special use permit renewal in a timely manner and has been cooperative in the rescheduling process. There are no active code compliance cases associated with this business.

The applicant provided an engineered site plan as part of S2015-0003 (attachment). The engineered site plan addresses reclamation.

CASE ANALYSIS:

Pursuant to Section 13-332, Sumter County Land Development Code, the proposed special use must meet the following requirements for approval (Staff's review of each of the findings is provided in *italic text*):

- a. The use must be in harmony with the purpose and intent of this chapter.
The Land Development code permits excavation as an industrial use, in the RR5C zoning district with a special use permit (Table 13-431, Principal uses). The sand excavation and hauling business has maintained the required special use permit.
- b. The use must be compatible with surrounding existing and anticipated uses.
The facility meets the required land use and zoning requirements and was previously permitted for operation.
- c. The use must not adversely affect the public interest. Adequate traffic circulation, sanitary, utility, drainage, refuse management, emergency services and similar necessary facilities and services shall be available for the use. A use shall not create hazardous vehicular or pedestrian traffic conditions, or parking congestion, or generate traffic that exceeds the capability of roads and streets serving the use, or otherwise affect public safety.
Renewal of the special use permit will not adversely affect the public interest. Allowing the landowner to fill the existing pit will not create a hazard or adverse impact to the public.
- d. The site must be suitable for the proposed use, considering flood hazard, drainage, soils, and other conditions which may pose a danger to life, health or property.
The proposed permit extension and filling activity will not pose a danger to life, health or property. It is an existing sand excavation facility with no wetlands, flood zone land, or ongoing drainage problems.
- e. The development of the use shall have no more than a minimal adverse effect on the environment, public health, safety, and welfare.
The proposed permit extension and filling activity will not pose an adverse effect on the environmental, public health, safety or public welfare.
- f. Proposed improvements and the level of cooperation by the developer shall be considered.
The applicant is not proposing any new improvements. They have been very cooperative in developing the application and in rescheduling the request due to the COVID-19 state of emergency.
- g. Unless specifically provided otherwise, the use shall comply with this code.

The request complies with the Land Development code. Conditions of approval have been carried forward from S2015-0003..

The following additional requirements must be considered in reviewing special uses (Sec 13-232(2)).

- a. The use must not be detrimental to the neighborhood environment or unduly infringe on the rights of surrounding property owners.

The continued use of this facility will not unduly infringe on the rights of surrounding property owners. .

- b. A vehicular parking or traffic problem must not be created, and the vehicular average daily traffic created on local roads must not be increased in such a manner as to degrade the established function of the roadway or create hazards to public health or safety. The commission and staff may rely on input from the Florida Department of Transportation, the Florida Highway Patrol and the sheriff's office in making this determination.

Trucks will continue using CR 526 to access US 301.

- c. Screening and buffering sufficient to minimize interference with the enjoyment of surrounding properties may be required.

Additional screening and buffers are not required.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS:

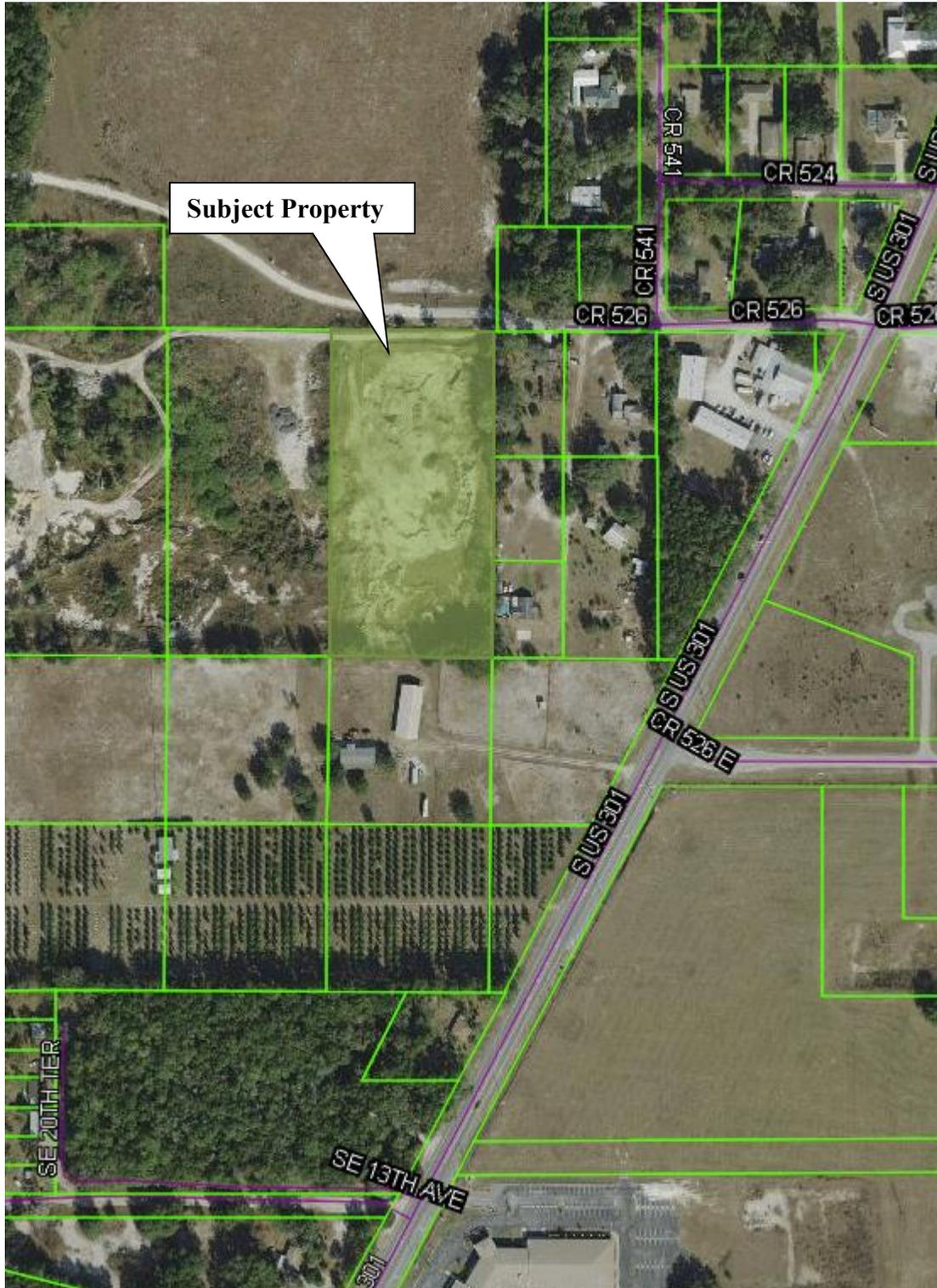
Staff finds the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code subject to the following conditions:

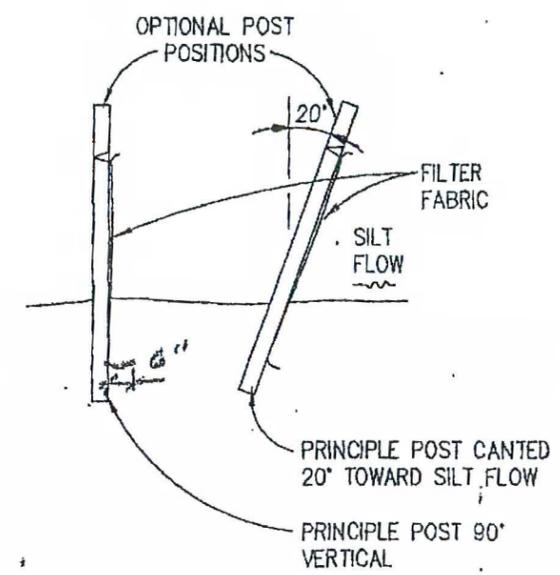
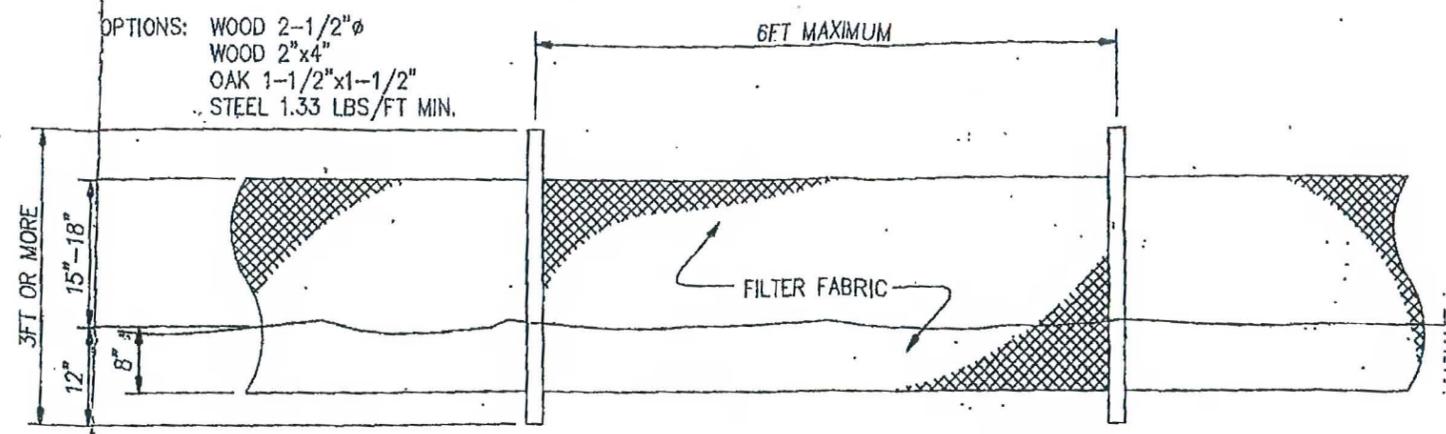
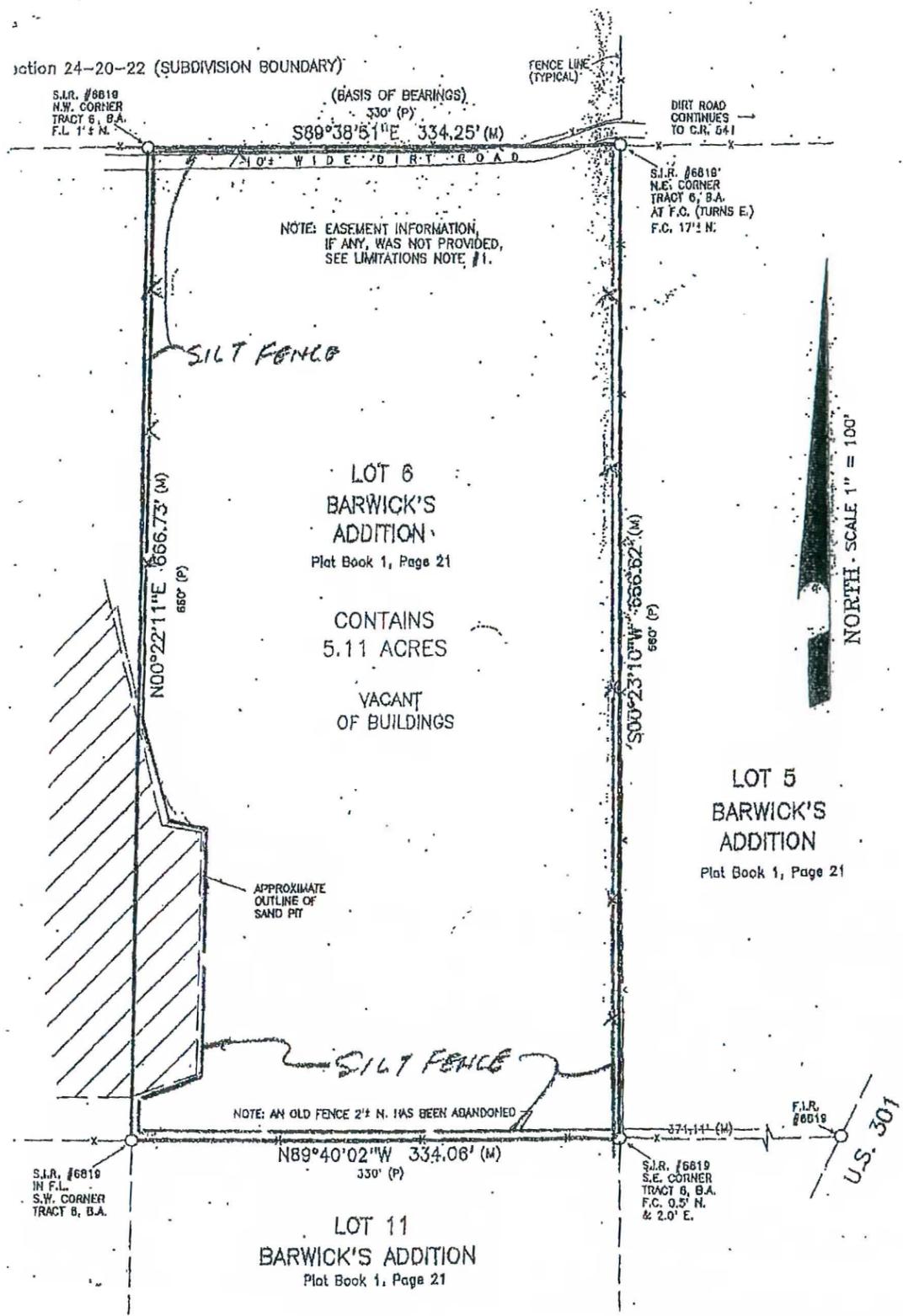
- 1) This special use permit allows the operation of sand excavation facility and the restoration of the existing borrow pit with clean fill material and rock.
- 2) This Special Use Permit shall be valid through May 12, 2025.
- 3) Site excavation and reclamation shall follow the engineered plan provided with S2015-0003 (Attachment).
 - a) The borrow pit shall be filled with common fill, consisting of granular soil free of organic matter and stones. Layers of fill shall be compacted as provided in the engineered plans.
 - b) The east property line shall be planted with a tree line as shown in the engineered plans. Existing trees along the east property line shall be retained and credited as part of the required tree line.
- 4) Any change in ownership of the subject property shall be reported to the County within 30 days. Conditions of this special use permit are binding on all future property owners or excavators.
- 5) Outdoor hours of operation shall be limited to Monday through Friday, 8:00 am to 6:00 pm.
- 6) Truck access to the facility shall be by CR 526.
- 7) County personnel shall be allowed to access the site during normal business hours to perform unscheduled monitoring inspections;
- 8) Suspension, expiration, or revocation of any other agency permit shall result in the immediate suspension, expiration, or revocation of this special use permit;

- 9) This special use permit may be suspended or revoked by the Board of County Commissioners consistent with Section 13-333(e), Sumter County Land Development Code.

Notices Sent: 18 (No Objection) 0 (Objection) 0

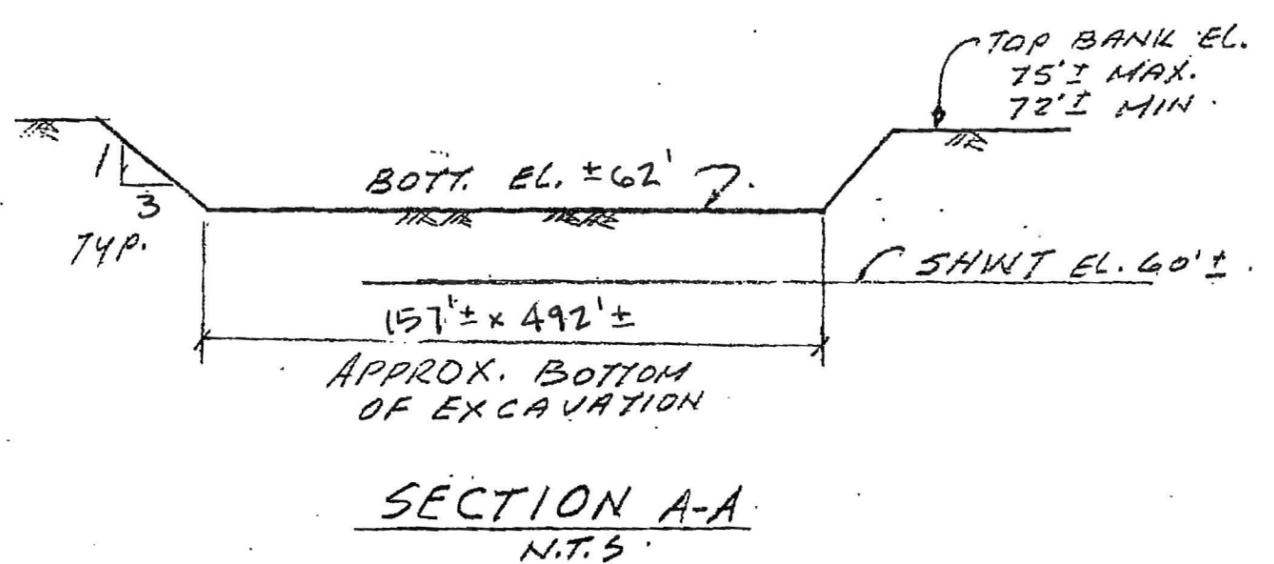
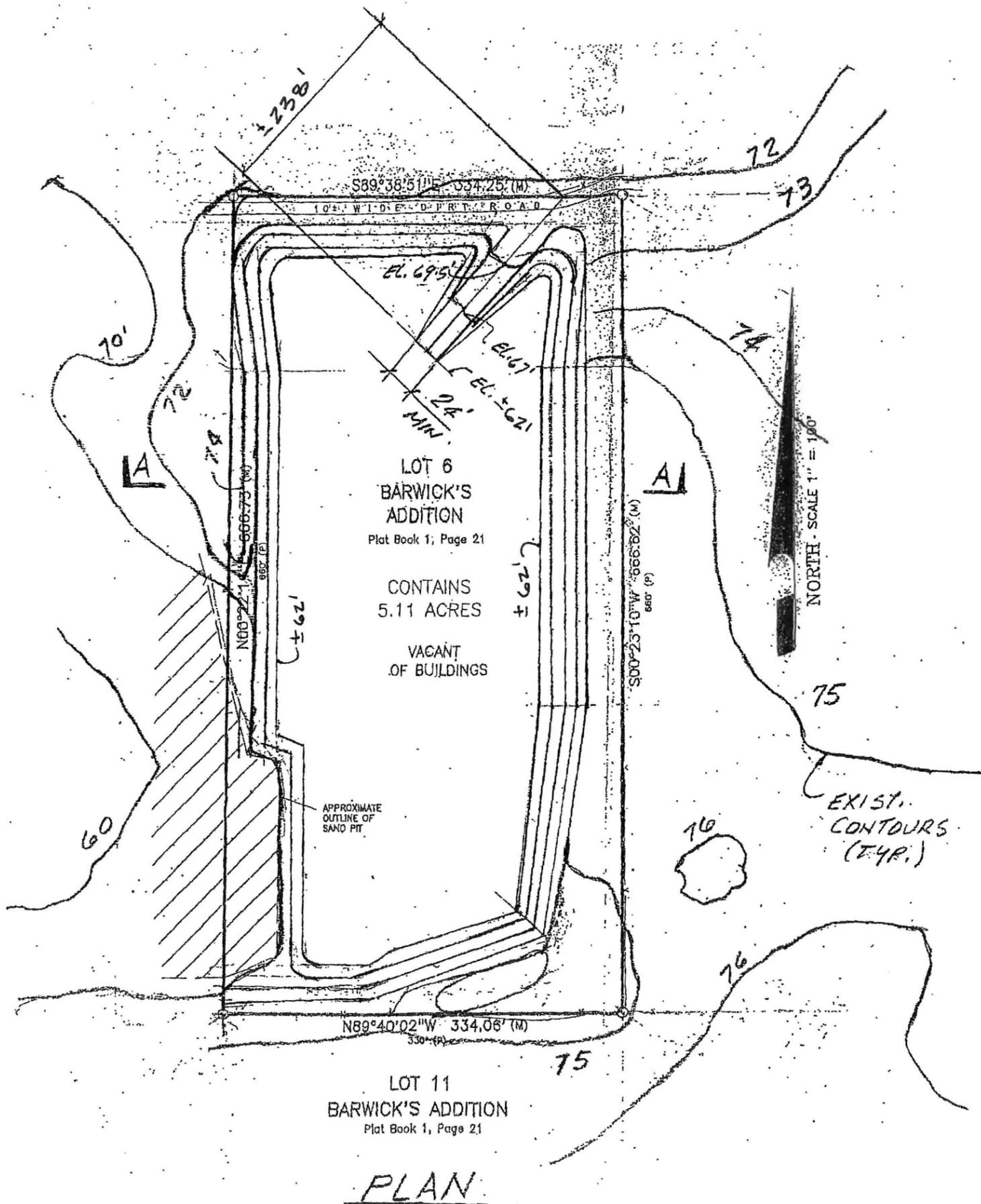
Location Map



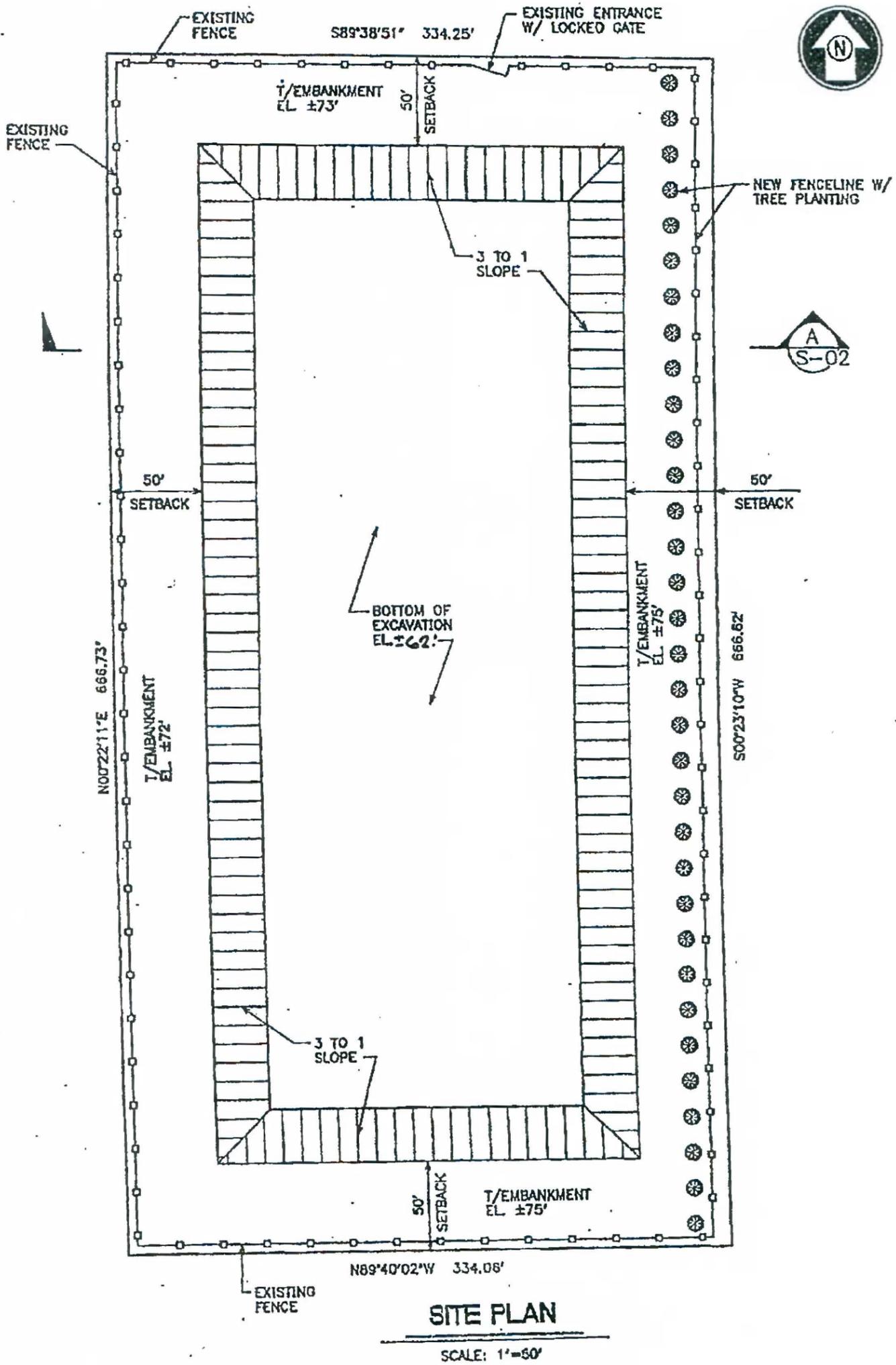


Type III Silt Fence
SCALE: NTS

	MICHAEL A. ROBINSON, P.E. (Rusty)	
	STRUCTURAL ENGINEERING, INC. INDUSTRIAL, COMMERCIAL, and RESIDENTIAL 921 SHADOW DR., STE. 3 LAKELAND, FLORIDA 33809 OFFICE (863) 815-9541 FAX (863) 858-9861	
SCALE: AS NOTED		
TOMMY'S HAULING BORROW PIT SUMTERVILLE, FL		
DRAWN BY: MAR CHECKED: MAR DATE: 2-18-15	DRAWING NUMBER C-1	REVISION 0

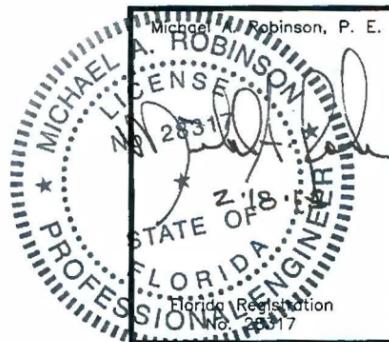


Michael A. Robinson, P.E. (Rusty) 218-15 STATE OF FLORIDA ENGINEER	MICHAEL A. ROBINSON, P.E. (Rusty) STRUCTURAL ENGINEERING, INC. INDUSTRIAL, COMMERCIAL, and RESIDENTIAL 921 SHADOW DR., STE. 3 LAKELAND, FLORIDA 33809 OFFICE (863) 815-9541 FAX (863) 858-9861	
	SCALE AS NOTED TOMMY'S HAULING BORROW PIT SUMTERVILLE, FL	DRAWN BY: MAR CHECKED: MAR DATE: 2-18-15
		REVISION 0



NOTES:

1. DEMOLITION TO CONFORM W/ 2010 FLORIDA BUILDING CODE.



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SCALE: AS NOTED		
TOMMY'S HAULING BORROW PIT SUMTERVILLE, FL		
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RECLAMATION PLAN

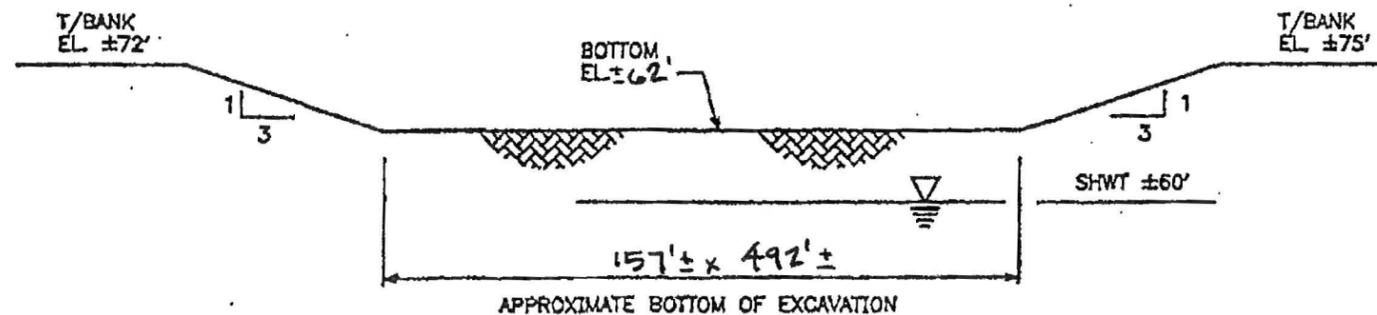
UPON COMPLETION, EXCAVATION SHALL BE RECLAIMED SO AS TO PERMIT USE OF THE LAND IN CONFORMITY WITH THE EXISTING LAND USE ZONE AND USAGE OF THE SURROUNDING AREA AS FOLLOWS:

BORROW PIT TO BE FILLED IN WITH COMMON FILL AS DEFINED BELOW.

COMMON FILL SHOULD CONSIST OF GRANULAR SOIL FREE OF ORGANIC MATERIAL, TOPSOIL, DEBRIS, FROZEN SOIL, OR OTHER DELETERIOUS MATERIAL THAT CANNOT BE PROPERLY COMPACTED. COMMON FILL SHOULD CONTAIN STONES NO LARGER THAN 6 INCHES AND SHOULD HAVE NO MORE THAN 35 PERCENT OF MATERIAL PASSING THE No. 200 SIEVE. COMMON FILL SHOULD BE PLACED IN LAYERS NOT TO EXCEED 12 INCHES, AS PLACED, AND COMPACTED WITH SUITABLE VIBRATORY COMPACTION EQUIPMENT TO AT LEAST 92 PERCENT OF MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557.

EXISTING EXCAVATION DETAILS

1. DEPTH OF EXISTING EXCAVATION VARIES FROM $\pm 10'$ TO $\pm 23'$
2. NO LIMEROCK HAS BEEN DETECTED DOWN TO $\pm 20'$ BELOW TOP OF EMBANKMENT.
3. SEASONAL HIGH WATER TABLE (SHWT) EL $\pm 60'$, BUT NO WATER HAS BEEN DETECTED DOWN TO EL $\pm 55'$.
4. AREA OF EXISTING EXCAVATION $\pm 135,000$ SQ. FT (± 3.1 ACRES).
5. VOLUME OF EXISTING EXCAVATION $42,000$ C.Y.
6. $\pm 55,000$ C.Y. ALLOWED BY SWFWMD PERMIT, THEREFORE $\pm 13,000$ C.Y. ALLOWED FOR FUTURE EXCAVATION.



SECTION

A
S-01

NOT TO SCALE

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SCALE: AS NOTED		
TOMMY'S HAULING BORROW PIT SUMTERVILLE, FL		
DRAWN BY: MAR CHECKED: MAR DATE: 2-18-15	DRAWING NUMBER S-2	REVISION 0