



Office of Planning & Zoning

P.O. Box 7800 • 315 W. Main St., Suite 510 • Tavares, FL 32778

February 12, 2021

Mr. Jimmy D. Crawford, Esquire
CMH Lawyers
702 W. Montrose Street
Clermont, FL 34711

Re: Mining Conditional Use Permit Application (MCUP) – White Water Farms
Project No. 2020050008, Application Request No. 4079
Alternate Key Nos. 3801484, 3801481, and 3816197

Dear Mr. Crawford,

The Development Review Staff (DRS) reviewed the resubmitted information for the mining conditional use permit (MCUP) application for proposed mining activity, located in the Eustis area of unincorporated Lake County. Please be advised that additional information is being requested in the comments below. The mining conditional use permit application will be scheduled for public hearing subject to the satisfaction of the DRS comments contained within this letter.

The Public Works Department highly encourages a meeting to discuss the review comments. A DRS meeting has been scheduled for Thursday, February 25, 2021 at 10:00 a.m.

You will be notified when the public advertisement sign is ready and available for pick up at the Office of Planning & Zoning. The sign will need to be posted ten (10) days on the property prior to the hearing date and shall be posted on the public access roads and county road(s) closest to the property subject to the application. In addition, proof of posting will need to be submitted to our office as soon as the property sign is posted.

A copy of the staff report and the proposed ordinance will be available a minimum of five (5) working days prior to the hearing. The Development Review agenda and staff comments for all projects are available for viewing on the website at www.lakecountyfl.gov under Board Agendas/Minutes. The Offices or Departments of the County involved with the review process have provided informational comments to inform you of Code requirements and/or processes that will be required as you move forward with the development process. The review and informational comments are listed below.

Review Comments

Office of Planning and Zoning

Please find enclosed comments from the contracted consultant. Be advised that the comments must be addressed pursuant to LDR Section 6.06.00 prior to scheduling the public hearing on the subject MCUP. If you desire a meeting prior to providing the requested information, please contact me to arrange the meeting to discuss the project.

P 352.353.9641 • F 352.343.9767

Board of County Commissioners • www.lakecountyfl.gov

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District 2

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

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District 5

Informational Comments

The Offices or Departments of the County involved with the review process have provided informational comments to inform you of Code requirements and/or processes that will be required as you move forward with the development process. The informational comments are listed below.

Office of Planning and Zoning

1. The subject parcel is zoned Agriculture, and situated within the Wekiva River Protection Area A-1-20 Receiving Area Future Land Use Category. The property also lies within the Wekiva Study Area.
2. The proposed MCUP request is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which conditionally allows mining within the Agriculture zoning district with an appropriate land use regulatory instrument; the proposed MCUP satisfies this requirement.
3. Please provide copies of all DEP and FFWCC agency species protection and/or mitigation permits prior to the commencement of the mining operation.
4. Please ensure the operating permit, when submitted, demonstrates that the proposed mining activities will not adversely impact surface or groundwater resources.
5. Pursuant to LDR Section 6.06.03(C)(6), mining activity must commence within three-years from the MCUP approval date.
6. Upon approval of the MCUP, a mining operating plan must be submitted for review and approval in accordance with LDR Section 6.06.03(D).
7. Please be advised that if there is a change in the Ownership or Operator of the mine, the new Owner or Operator shall be required to notify the County within sixty (60) days; the information must include the name, address, and telephone number of the Mine Owner and Operator.
8. Please be advised that no mining activity, except for approved peat and muck mining, shall be conducted within the one hundred (100) year Floodplain, floodway, waterway, lake or stream if such mining activity would have an adverse effect on the one hundred (100) year Floodplain or floodway.
9. Please be advised that a pursuant to LDR Section 6.06.02(B)14 and Section 6.06.3(C)19, a reclamation plan will be required in conjunction with submittal of the required operating permit for review and approval prior to commencement of mining operations. The reclamation plan must include proof of financial responsibility for assurance of reclamation activities will be undertaken in an environmentally sound manner.
10. Please be advised that increases to ambient noises resulting from mining operations shall not cause a public nuisance as measured at the permittee's property lines; nor shall mining activities generate noise exceeding what is allowed by any local, regional, state or federal laws, ordinances, rules or regulations. Additionally, the mining activity shall be consistent with noise protection provisions of LDR Chapter 9.09.00.
11. Preparation of an annual report shall be certified by a licensed registered Florida Professional Engineer, professional geologist, Mine Operator or an authorized representative familiar with the operator's mining activities. The annual report, when submitted, must contain a notarized signature of the preparer for the purpose of certifying operation of the mine in accordance with Mining Conditional Use Permit (MCUP) Ordinance, Operating Permit and/or any applicable development of regional impact Development Order.
12. Mining fees, annual fees, progress report inspections and annual progress report fees shall be in accordance with LDR Section 6.06.03(F).
13. Annual progress report shall be in accordance with LDR Section 6.06.04.
14. Financial responsibility shall be in accordance with LDR Section 6.06.05.

Environmental Review

An environmental assessment (EA) dated within 6 months old of the operating permit must be submitted. The EA must indicate the presence of vegetation, soils, wetlands, threatened and endangered species that may exist on the site. Any required State permitting or mitigation will be required before the mining operation commencement.

Office of Building Services

1. Please be advised that a building permit is required for any structure(s) or change of occupancy use.
2. Please be advised that the site plan design document submittal shall include the following:
 - a. Building construction type with total building area.
 - b. Fire separation distances (setbacks) from the closest lot line, street, alley, public way, and buildings on the same property.
 - c. The type of fire protection water supply to be provided at the site.
 - d. The needed fire flow for the building(s) and/or structure(s).
 - e. The location of all fire hydrants for the site.
 - f. Compliance with the LDRs, Florida Fire Prevention Code for fire protection water supply, and fire department access. Adequate width, height, and approved turn arounds.

Public Works Department – Engineering

Transportation Ordinance Conditions:

1. All access management shall be in accordance with the Comprehensive Plan and Land Development Regulations, as amended.
2. The site access onto State Road 44 may require permitting from the Florida Department of Transportation (FDOT).
3. The haul route for the mine shall be limited to Exhibit B, Transportation Haul Routes. No trucks shall be allowed on County Road 437 or any other county road other than County Road 46A. Any haul material on state maintained highways may require permitting from the FDOT.
4. The Developer agrees to only haul material from the site to the Wekiva Parkway or State Road 44 St. Johns River bridge project.
5. A Haul Permit and Agreement shall be required prior to any material leaves the site.

Stormwater Management Ordinance Condition:

The stormwater management system shall be designed in accordance with all applicable Lake County, Department of Environmental Protection (DEP), and St. Johns River Water Management District (SJRWMD) requirements, as amended.

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Should you have any questions on the above comments, please do not hesitate to contact our office.

Sincerely,


Janie Barrón
Senior Planner

cc: C&K Family Trust Dated January 31, 2020, Owner
Tim McClendon, AICP, Planning Director, Office of Planning and Zoning
Mary Harris, Impact Fee Associate, Office of Planning and Zoning
File

Enclosure: Lake County's Contracted Consultant Review Report