LEON COUNTY
GROWTH AND ENVIRONMENTAL MANAGEMENT DEPARTMENT
DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT NAME: **Williams Sand Mine**

APPLICANT: Williams Capital Investments, Inc.
Fred Williams
7975 Sundown Creek Road SW
Greenville, FL 32331
850-224-0759

AGENT: JAKS Engineering
Jacob R. Jaks
1624-A Metropolitan Blvd.
Tallahassee, FL 32308
850-386-2058

SUMMARY OF THE APPLICATION:

The request is for a sand mining operation with a 672 square foot mobile office on site. The subject property is located in the Rhodes Subdivision, which is a recorded subdivision. It is located in the Rural (R) zoning district and is outside the Urban Service Area. The property is located at 6329 Woodville Highway, which is a principal arterial roadway. Sand Mining is an allowed use in the Rural zoning district pursuant to Section 10-1202 of the Leon County Land Development Regulations. In addition, pursuant to Section 10-1111 (a)(1)(a), mining activities in the Rural zoning district must be approved by the Board of County Commissioners. As a result, this development was required to follow the Type "C" Site and Development Review process. Electric service and water service will be provided by the City of Tallahassee. Sewage will be handled by septic systems as required by the Leon County Public Health Department.

DATE OF DRC MEETING: September 3, 2003

DATE OF PRE-APP: May 7, 2003

DATE OF TECHNICAL STAFF REVIEW: August 13, 2003

STAFF PLANNER: Ryan Culpepper, Planner II

TAX ID#: 31-32-51-018-001-0

PARCEL SIZE:	8.73 acres +/-
LOCATION:	6329 Woodville Highway
ROADWAY ACCESS:	Woodville Highway (Principal Arterial)
ZONING DISTRICT:	Rural
FUTURE LAND USE:	Rural
INSIDE/OUTSIDE URBAN SERVICES AREA:	Outside
ZONING PATTERN:	North: Rural South: Rural East: Rural West: Rural
ADJOINING EXISTING LAND USES:	North: Allen's Excavation East: Vacant West: Apalachicola National Forest South: Single family residential
PERMITTED USE VERIFICATION:	VC030031-R

Site Plan and Subdivision Review Criteria: In deciding whether to approve, approve with conditions, or deny a site plan, the Development Review Committee shall determine pursuant to Section 10-1482, Type C Review:

(a) Whether the design standards and requirements set forth in the Subdivision regulations have been met;
(b) Whether the applicable criteria of the Environmental Management Act have been met;
(c) Whether the standards and requirements of the zoning code have been met; and
(d) Whether the requirements of other applicable regulations or ordinances which impose specific requirements on the proposed development have been met.

Growth and Environmental Management Department Staff Findings: The staff is generally responsible for reviewing site plan application to ensure that the application meets the applicable requirements set forth in the Zoning, Site Plan, and Subdivision Regulations (Section 10 of the

Leon County Code of Laws).

Pursuant to the review criteria identified in Section 10-1479.1, Type C Review, the Growth and Environmental Management Department findings are as follows:

Concurrency (Section 10-140):

An application for a preliminary certificate of concurrency has been submitted with the application for technical site plan review. On August 5, 2003, preliminary concurrency was approved. Final Certificate of Concurrency will be issued upon final site plan approval.

Zoning District Issues (Section 10-1202):

The subject parcel is located in the Rural zoning district. It is outside the Urban Service Area. Sand and gravel mining is an allowed use in this zoning district as a special use under Section 10-1111. This Section of the code requires the development to be approved by the Board of County Commissioners.

Commercial Site Location Standards (Section 10-922):

Not applicable

Buffer Zone Standards (Section 10-923):

A Type "D" buffer zone will be required along any property lines adjacent to single-family residentially zoned lots or land uses. This Type "D" buffer is required along the south and east portions of the property.

Please also refer to any comments from the Environmental Compliance Division

Conservation/Preservation Area (Section 10-953, 973, 974).

A Natural Features Inventory and an Environmental Impact Analysis for the project have been reviewed and approved by the Environmental Compliance Division.

Canopy Road Overlay District (Section 10-957):

Not applicable

Parking and Loading Requirements (Division 7, Section 10-1028):

For offices, one regular space per 300 sq. ft. of gross floor area is required. Bicycle parking is also required at a ratio of 0.10 spaces per vehicle. For the proposed 672 square feet office, three parking spaces and one handicap parking space will be required. The handicap parking space shall be paved. One bicycle parking space will be required.

Finding: The proposed development meets these standards.

Accessory Structures (Section 10-1102):

Accessory structures must be located at least seven and one half feet from the property line, and a minimum of six feet from any other structure. They may not be located in a buffer or landscape area, nor in the front or side corner yard. Any proposed accessory structures must be shown in the concept development plan, and shall be included in all calculations of pervious and impervious areas.

Finding: No accessory structures are proposed for this site and development plan.

Specific Requirements for restricted uses and special exception uses (Section 10-1111)

(a) *Rural district*
(1) *Mining activites*

a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing.

b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. The mining activity, all accessory uses and structures, internal roadways, and driveways on to the adjacent streets shall be set back a minimum of 100 feet from the perimeter boundaries or 200 feet from the nearest off-site residence, residential zoning district or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property owner or owners prior to site plan approval or if the adjacent property is also used as a mining activity.

2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use.

3. A land reclamation plan shall be submitted demonstrating that upon termination of the activity the land shall be returned to a condition that will allow an effective reuse comparable to surrounding properties.

Finding: Letters from two adjacent property owners were submitted in which they agreed to a reduced setback for the mining activity. These property owners agreed to reducing the setback to 50 feet. This development has met the remaining requirements of this section of the code.

Development Standards (Sections 10-1209):

The following design criteria for the ***Rural zoning*** district are required by this section:

Minimum Lot Area: 10 acres

Minimum Lot Width: Not Applicable

Minimum Lot Depth: Not Applicable

Minimum Lot Frontage: 15 feet

Minimum Building Setbacks:

	Building	Parking
Front	30 feet	40 feet
Corner	30 feet	40 feet
Side	40 feet	40 feet
Rear	50 feet	50 feet

Maximum Impervious Surface Area: 30 %

Maximum Building Restrictions:

Not Applicable

Maximum Height: 45 feet

The site and development plan meets these standards.

Special Roadway Setbacks (Section 10-1107):

Not applicable

Permitted Use Verification (Section 10-1477):
(VC030031 Issued on March 24, 2003; revised March 31, 2003)

The above referenced parcel is eligible for the proposed sand mine and the 672 square feet office. This parcel is located in the Rural (R) zoning district and is outside the Urban Service Area (USA). A portion of this property is also located within the FEMA 100 year floodplain. Sand and gravel mining is a permitted use within the Rural zoning district. As per Section 10-1111 (a)(1)(a), which states that all mining activities must be approved by the Board of County Commissioners, the development of this parcel will be required to follow the Type "C" site and development plan review process.

Comprehensive Plan Issues:

Sand mining at this location has been determined to be consistent with the Comprehensive Plan.

Deviation from Development Standards (Article XI, Division 9)

None requested.

Leon County Growth and Environmental Management Department:

The Department of Growth and Environmental Management recommends approval with conditions to the Board of County Commissioners (BCC). The recommendation is based on the above referenced findings and the incorporation of the following conditions into the site and development plan:

1. A graphic needs to be shown on the site plan indicating how the refuse area will be screened.

2. The vicinity map needs a north arrow.

3. All existing septic systems, including drainfields, shall be shown on the site plan as

required by the Leon County Public Health Department.

4. All regulated substances and waste must be disposed of properly as necessary by the Aquifer Protection Section.

5. The unused well(s) must be property abandoned by a licensed well contractor following NWFWMD guidelines. The NWFWMD inspection report will be required as proof of proper abandonment.

6. A water service plan must be approved by the City of Tallahassee.

Responses to Notification:

9 notices mailed (One Homeowner's Association included)
0 response returned
3 returned as undeliverable

Attachments:

Attachment #1:	*August 25, 2003, memorandum from Sandra Roper, Environmental Review Specialist*
Attachment #2:	*August 29, 2003, email from Kimberly Wood, Public Works*
Attachment #3:	*August 28, 2003, memorandum from Wayne Tedder, Land Use Supervisor*
Attachment #4:	*August 11, 2003, memorandum from the Aquifer Protection Section*
Attachment #5:	*May 12, 2003, letter from Allen Weldon of Allen's Excavation*
Attachment #6:	*June 4, 2003, letter from Lawrence and Ida Myers*
Attachment #7:	*August 28, 2003, letter from Dawn Davis, Program Specialist, Leon County Schools*

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Tallahassee, Florida 32301
(850) 488-4710

Department of Community Development
3401 West Tharpe Street
Tallahassee, FL 32303
(850) 488-9300

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At-Large
CLIFF THAELL
At-Large

PARWEZ ALAM
County Administrator
(850) 488-9962

HERBERT W.A. THIELE
County Attorney
(850) 487-1008

August 25, 2003

Mr. Jacob Jaks, P.E.
Jaks Engineering
1624-A Metropolitan Way
Tallahassee, Florida 32308

RE: Williams Sand Mine-Environmental Analysis Approval (EIA), Project Parcel # 31-32-51-018-001-0

Dear Mr. Jaks:

We have completed review of the Environmental Analysis (EIA) plans and stormwater information for the referenced project submitted on August, 19. We have determined that the project is consistent with the stormwater and landscape components of the Leon county land Development Code for Site and Development planning.

If you have questions regarding these comments, please contact me at (850)488-9300.

Sincerely,

Sandra Roper

Sandra Roper
Environmental Review Specialist

SR/sr

cc: Ryan Culpepper
Antionett Scott

An equal opportunity/affirmative action employer

Attachment # 2
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Attachment # 2
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From: Kimberly Wood
To: Schairer, Joan
Date: 8/29/03 2:59PM
Subject: DRC - Hampton Creek & Williams Sand Mines

Joan,

Hampton Creek Memo is attached.

Williams Sand Mine: Public Works concerns have been addressed.

Kim

p.s. Remember I will be out next week.

Kimberly A. Wood, P.E.
Senior Design Engineer
Leon CountyPublic Works
2280 Miccosukee Road
Tallahassee, Florida 32308
e-mail: woodk@mail.co.leon.fl.us
office (850) 488-8003
fax (850) 488-1260

CC: Brown, Joe; Park, Tony

TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT MEMORANDUM

TO: Development Review Coordinator
FROM: Wayne Tedder, Land Use Supervisor
DATE: August 28, 2003
SUBJECT: Development Review Committee Meeting of September 3, 2003
Williams Sand Mine Expansion – Type C Site and Development Plan Application

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Project:	Williams Sand Mine
Parcel Number:	31-32-51-018-001-0
Future Land Use Designation:	Rural
Zoning District:	Rural
Applicant:	Williams Capital Investments, Inc., Fred Williams
Applicant's Agent:	Jacob R. Jaks, JAKS Engineering

Planning Department Findings:

1. The pre-application is based upon PUV VC030031R, for sand mining operations and associated office, per Section 10-1111(a)(1)a., *Leon County Code* (pertaining to requirements for sand mines).
2. To ensure full compliance with Section 10-1111(a)(1)b.3., *Leon County Code* (reclamation requirements) the application shall include a binding commitment from the property owner to reclaim the site to pre-mining appearance, as otherwise provided by the proposed site and development plan. [Section 10-1111(a)(1)b.3 specifies: *A land reclamation plan shall be submitted demonstrating that upon termination of the activity the land shall be returned to a condition that will allow an effective reuse comparable to surrounding properties.*]

Planning Department Recommendation:

The Planning Department recommends that this application be approved, subject to the following condition:

- The site and development plan application shall be revised to include the following annotation: "By no later than June 30, 2015, or 180 days subsequent to the cessation of mining operations on this property if these operation cease prior to December 31, 2014, the owner of this property, or their successors and assigns, shall have completed reclamation of this property as provided pursuant to this site and development plan. This commitment includes the obligation that this property owner, or their successors and assigns, bear the financial obligation for this reclamation."

cc: Ryan Culpepper

Aquifer Protection Site Review Clearance Form

City of Tallahassee
Your Own Utilities

Site Information Site Name: **Williams Sand Mine**

Team: LC-RYAN CULPEPPER Location: 6329 Woodville Highway Tax ID: 31-32-51-018-0010

Status: TYPE C AgendaDate: 8/13/2003

Date of Site Visit: Monday, August 11, 2003 Inspected by: Walt Loomis

Important: It is the permittee's responsibility to provide the documentation indicated in the checked sections below. Aquifer Protection Clearance will be issued only after the required documentation is provided to: Koren Taylor, P.G., Aquifer Protection Section, 3805 Springhill Road, Tallahassee, FL, 32305-6502; Phone (850)891-1200; Fax (850)891-1062. If additional wells, borings, or Regulated Substances not described below are discovered by the permittee during site clearing or other permitted activities, the permittee shall comply with the appropriate provisions in Leon County Land Development Code Article XIV and shall notify the Aquifer Protection Section of actions taken to comply with these provisions.

Aquifer Protection Items Found on Site And Action Required:

☑ Unused Well(s) Number Of Wells: 1

4" metal casing on pad with 0.5' stickup and tank at N 30.35006 and W 084.25706.

The unused well(s) must be properly abandoned by a licensed well contractor following Northwest Florida Water Management District guidelines {(850)539-5999}. The NWFWMD inspection report will required as proof of proper abandonment. [Authority – Leon County Code Section 10-1957(a)(1) and Chapter 40A-3.531(1), (2)(b), (4), and (5), Florida Administrative Code.]

☐ Geotechnical Borings

The geotechnical borings must be properly abandoned. Borings less than 25 feet deep may be back-filled with the original or other clean soil. Borings deeper than 25 feet shall be grouted with neat cement from bottom to top. A signed statement from the geotechnical consultant that the borings have been properly abandoned will be considered adequate proof of action completion. [Authority – Leon County Code Section 10-1957(b)]

☑ Regulated Substances/Waste

About a half dozen containers of used oil and other oil based products around property. Piles of roofing materials (shingles and asphalt with some appearing as potentially asbestos) on property back SE corner. Large fuel tank on property NE corner has a fuel smell around it. Trailer and small house currently on site.

The on-site waste described above must be disposed of properly. On-site waste which could present a hazard to water resources if improperly handled (including solvents, paints, pesticides, waste oil, batteries, fluorescent lights or other mercury containing devices, etc.) must be removed from the site by either a Department of Environmental Protection-approved hazardous waste transporter, recycler, or in many cases may be transported by the permittee to the Leon County Hazardous Waste Center, located at the Leon County Landfill. If the Hazardous Waste Center is used, they must be contacted for approval and delivery scheduling (922-0400) prior to the contractor removing the waste from the site. Regardless of the approved method of disposal chosen the permittee must obtain receipts documenting the proper disposal of the waste. Copies of waste receipts will be required as proof that action was properly completed. [Authority – Leon County Code Section 10-1959.]

☐ Other:

Aquifer Protection Clearance

This Clearance form will be singed by a member of the Aquifer Protection Section when all actions identified above have been completed completed. The final environmental inspection will not be conducted and the permit will not be issued until the Aquifer Protection Clearance is completed.

Aquifer Protection Clearance:_____ Date:_____

May 12, 2003

RE: William's Sand Mine
Tax ID# 31-32-51-018-001-0
6329 Woodville Highway

To Whom It May Concern:

I hereby state that I have no objection to allowing a 50' setback for buildings, driveways, parking and sand mining activities on the property referenced above, located adjacent to my property. I understand that Mr. Williams will be placing a new building at this site, as well as mining sand, and that by agreeing to this reduced setback, I can expect the above listed development activities to occur as close as 50' from our shared property boundaries.

Allen Weldon

Allen Weldon, President
Allen's Excavation
Parcel ID# 31-32-51-015-001-0

State of Florida

County of Leon

The foregoing instrument was acknowledged before me this 12 day of May, 2003, by Allen Weldon, owner of Parcel 31-32-51-015-001-0, Leon County, Florida, who is personally known to me as such, or has produced_____ as identification.

Judi B Billingsley
Signature of Notary

By: Judi B Billingsley, *Notary Public*
Print Name

*My Commission Expires:*_____

Judi B. Billingsley
MY COMMISSION # DD047512 EXPIRES
August 5, 2005
BONDED THRU TROY FAIN INSURANCE, INC

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Attachment # 2
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June 4, 2003

RE: William's Sand Mine
Tax ID# 31-32-51-018-001-0
6329 Woodville Highway

To Whom It May Concern:

I hereby state that I have no objection to allowing a 50' setback for buildings, driveways, parking and sand mining activities on the property referenced above, located adjacent to my property. I understand that Mr. Williams will be placing a new building at this site, as well as mining sand, and that by agreeing to this reduced setback, I can expect the above listed development activities to occur as close as 50' from our shared property boundaries.

Lawrence Myers
Lawrence Myers
Owners of Parcel ID# 31-32-51-019-001-0

Ida H. Myers
Ida H. Myers

State of Florida

County of Leon

The foregoing instrument was acknowledged before me this 11th day of June, 2003, by Lawrence Myers and Ida H. Myers, owners of Parcel 31-32-51-019-001-0, Leon County, Florida, who are personally known to me as such, or have produced FLDLM62040848905C FLDLM62052148442C *as identification.*

Felicia L. Burk
Signature of Notary

By: Felicia Burk, *Notary Public*
Print Name

My Commission Expires

FELICIA L. BURK
MY COMMISSION # DD 061525
EXPIRES: September 30, 2005
Bonded Thru Notary Public Underwriters

Attachment # 7
Page 1 of 1

Attachment # 2
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August 28, 2003

Post-it® Fax Note 7671	Date	# of pages ▶ 1
To Chairman	From Planning Dept.	
Co./Dept. Review Comm	Co. Leon Co Schools	
Phone #	Phone # 487-7257	
Fax # 487-7956	Fax # 487-7291	

Leon County
Development Review Committee
Department of Community Development
3401 W. Tharpe Street
Tallahassee, FL 32303

Dear Committee Members:

Leon County Schools' Planning Department offers the following comments with regard to the items on the September 3 Development Review Committee Meeting agenda:

Williams Sand Mine Type "C" – No impact to LCS schools.

Hampton Creek Type "C" – Moderate impact on the Leon County Schools (225 units). The proposed residences would be zoned for Apalachee Elementary, Fairview Middle and Rickard High schools. Apalachee and Rickards have room to accommodate new students; however, Fairview is over 95% capacity.

Thank you for your consideration.

Sincerely,

Dawn Davis

Dawn Davis, Program Specialist
Planning and Policy Development

/ddc

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