

LEE COUNTY, FLORIDA  
ZONING DIVISION  
STAFF REPORT

TYPE OF CASE: PLANNED DEVELOPMENT/DCI  
CASE NUMBER: DCI2002-00066  
HEARING EXAMINER DATE: September 10 and 11, 2003

I. APPLICATION SUMMARY:

- A. Applicant: Asa Candler, President Corkscrew Mining & Excavation, Inc.
- B. Request: Amend the existing industrial planned development (IPD) zoning (Resolution Z-01-016) to increase the depth of the mining operation from the approved 50 feet to 95 feet or to the confining layer; to add a new connection to Corkscrew Road; to articulate the hours of operation based upon recent LDC amendments; to reduce the mine plan native open space area from 13%/78.2 acres to 11%/66.5 acres of the site area; to allow for temporary on site dewatering up to 25 feet; and to amend the General Mine Permit consistent with the IPD amendment.

C. Location: The subject property is located at 21751 Corkscrew Road, Fort Myers, Fla. 33913, in S22 and 23-T46S-R27E, Lee County, FL. (District #5)

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property:  
The subject property is currently zoned Industrial Planned Development and is being used as an Excavation, mining operation. The subject property is in the Density Reduction/Groundwater Resource and Wetland future land use designations of the Lee Plan.

E. Surrounding Land Use:

<u>Existing Zoning &amp; Land Use</u>	<u>Future Land Use Map</u>
North: AG-2, agricultural	Density Reduction/ Groundwater Resource
East: AG-2, single family and agricultural	Density Reduction/ Groundwater Resource
South: AG-2, single family residential, private airfield, agricultural, and vacant land	Density Reduction/ Groundwater Resource
West: AG-2, vacant land and agricultural. Further west is an approved 13 lot rural estate neighborhood	Density Reduction/ Groundwater Resource

F. Size of Property: 602.09± acres (revised to 600.51± acres)

## II. RECOMMENDATION:

Staff appreciates the applicant's efforts in amending this application. When it was first filed the applicant sought additional land uses such as manufacturing activities, which have subsequently been dropped. Additionally, the applicant has continued to meet with staff in an attempt to address all issues. They have also met with the community and residents in this area to explain their project and hear their issues.

Although the applicant has made the above changes to their application, Staff recommends **DENIAL** of the applicant's request to amend the existing Industrial Planned Development (IPD) zoning (Resolution Z-01-016) to increase the depth of the mining operation from the approved 50 feet to 95 feet or to the confining layer; to add a new connection to Corkscrew Road; to articulate the hours of operation based upon recent LDC amendments; to reduce the mine plan native open space area from 13%/78.2 acres to 11%/66.5 acres of the site area; to allow for temporary on site dewatering up to 25 feet.

Staff recognizes that the current zoning approval granted in 2001 allows limited mining operations on this site and other uses as an accessory use. This limited mining operation was deemed compatible with the surrounding land uses at that time for the use and intensity of development. Denial of the subject request does not deprive the land owner from reasonable use of this site since the original mining operation was approved and was contemplated as a maximum 31 year operation.

### Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has not proven entitlement to the proposed amendment of the existing Industrial Planned Development zoning by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested zoning:
  - a) is not compatible with existing or planned uses in the surrounding area; and
  - b) may adversely affect environmentally critical areas or natural resources.
3. Approval of the request may place an undue burden upon existing transportation facilities.
4. The proposed increase in the use of this development is inappropriate at the subject location.
5. Conditions to the concept plan cannot be recommended and applicable regulations do not provide sufficient safeguards to the public interest.

## III. BACKGROUND INFORMATION AND ANALYSIS:

### Introduction/Synopsis

~~The applicant is seeking to amend the existing planned development zoning approved by the Board of County Commissioners on April 30, 2001 (Attachment B) to:~~

1. *to increase the depth of the mining operation from the approved 50 feet to 95 feet or to the confining layer;*

The 2001 zoning action limited the maximum permitted depth of this excavation to the lesser of the following: 50 feet, the depth of the confining layer, or the permitted depth of the excavation by the South Florida Water Management District. The applicant is now seeking an increased maximum depth to 95 feet or the confining layer.

2. *add a new driveway connection to Corkscrew Road;*

The current operation was permitted only one access point located in the western portion of the site. The applicant now is seeking a second access point that would be east of the existing access point and maintaining the 660 foot connection separation requirement.

3. *reduce the mine plan native open space area from 13%/78.2 acres to 11%/66.5 acres of the site area;*

The 2001 action, on the approved Master Concept Plan, there is a commitment to provide 13 percent native open space consisting of 78.2 acres. The applicant is seeking a reduction to 11 percent native open space consisting of 66.5 acres.

4. *to articulate the hours of operation based upon recent LDC amendments; and*

The 2001 approval included a specific condition that the excavation is limited to 12 hour days, six days per week, 6:00 a.m. to 6:00 p.m., Monday through Saturday, excluding holidays. The applicant is now seeking to be allowed to have the operating hours for the dragline and approved rock crushing operation to be 24 hours, Monday through Saturday.

- E. *allow for temporary on site dewatering up to 25 feet.*

Currently the condition states that no dewatering of the site has been approved. In order to allow dewatering the condition states that a new public hearing would have held prior to allowing dewatering of the site.

#### Master Concept Plan

The submitted Master Concept Plan is a two page plan. The first page is a general overview of the entire proposed project showing the areas to be mined and the resulting lake areas, the wetland preserves, and the existing area for the aggregate processing area. The second page is a detail sheet showing the phasing proposed industrial operation area for the new uses requested in this application. The Plan now shows the proposed location of the industrial uses requested in this application. The second page is more specific showing the location of activities within each of the development (industrial) areas.

The application and applicant in meetings has indicated that some of the material being removed from this site does meet Florida Department of Transportation (FDOT) quality material. However, it cannot be determined at this time how much will meet this quality. Additionally the applicant's core samples does not give assurance that the FDOT quality material consists as a complete underlying bed of rock across the entire site.

## Lee Plan Considerations

In summary, staff recommends that this request to increase the depth of the mining operation from the approved 50 feet to 95 feet or to the confining layer; to add a new connection to Corkscrew Road; to articulate the hours of operation based upon recent LDC amendments; to reduce the mine plan native open space area from 13%/78.2 acres to 11%/66.5 acres of the site area; to allow for temporary on site dewatering up to 25 feet be found **INCONSISTENT** with the Lee Plan. The following discussion provides the basis of this recommendation.

**POLICY 1.4.5:** The Density Reduction/Groundwater Resource (DR/GR) areas include upland areas that provide substantial recharge to aquifers most suitable for future wellfield development.

These areas also are the most favorable locations for physical withdrawal of water from those aquifers. Only minimal public facilities exist or are programmed. Land uses in these areas must be compatible with maintaining surface and groundwater levels at their historic levels. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, publicly-owned gun range facilities, private recreation facilities, and residential uses at a maximum density of one dwelling unit per ten acres (1 du/10 acres). Individual residential parcels may contain up to two acres of Wetlands without losing the right to have a dwelling unit, provided that no alterations are made to those wetland areas.

Private Recreational Facilities may be permitted in accordance with the site locational requirements and design standards, as further defined in Goal 16. No Private recreational facilities may occur within the DR/GR land use category without a rezoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards, contained in Goal 16 of the Lee Plan. (Amended by Ordinance No. 91-19, 94-30, 99-16, 02-02)

Mining operations are a use that can be permitted within the DRGR land use category. Uses also permitted are agriculture, natural resource extraction and related facilities, conservation uses, publicly-owned gun range facilities, private recreation facilities, and residential uses. The current mining operation was found consistent with the Lee Plan and compatible with the surrounding land uses. Land uses in this area have not significantly changed since 2001 with the exception of additional homes having been constructed. Agricultural uses remain active in the area. No additional mining operations have been permitted on Corkscrew Road east of the intersection of Alico Road since the 2001 approval of this operation.

**OBJECTIVE 1.5: WETLANDS.** Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211. (Amended by Ordinance No. 94-30)

**POLICY 1.5.1:** Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 84 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Amended by Ordinance No. 94-30)

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The existing wetlands areas are being preserved with the sole exception of the wetland being impacted, as addressed in the Environmental Sciences response. Since the wetland to be

impacted is in a conservation easement to the South Florida Water Management District staff does not support the removal of the wetland under the Conservation Easement. Approval of this request would be **INCONSISTENT** with the Policy.

Additionally, staff should note that there is a concern about the dewatering of the site to 25 feet and the potential impact to the wetlands within the development. There is no indication as to the long term impacts of dewatering this site and the potential for drying up the wetlands.

**POLICY 1.7.8:** The Agricultural overlay (Map 20) shows existing active and passive agricultural operations in excess of 100 acres located outside of the Future Urban Areas. Since these areas play a vital role in Lee County's economy, they should be protected from the impacts of new developments, and the county should not attempt to alter or curtail agricultural operations on them merely to satisfy the lifestyle expectations of non-urban residents. (Added by Ordinance No. 94-30)

The subject property is shown as one of the agricultural areas on this map. All adjoining properties are also shown as an agricultural area. All properties (subject property and adjoining properties) are also depicted as a "non-urban area" on this map.

**POLICY 2.1.2:** New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan. (Amended by Ordinance No. 00-22)

Based on the analysis in this report, staff recommends that the request be found **INCONSISTENT** with this Policy of the Lee Plan.

**POLICY 2.2.1:** Rezoning and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30, 00-22)

The proposed request seeks increased industrial use of this site. The road in this area is a high speed facility and the provision of two separate accesses would place very slow moving traffic on the road at two points in close proximity. Staff recommends only one access point to centralize the location of where the slow traffic may be encountered. Additionally, the increased mining operations seeking to increase the depth, hours of operation, and truck traffic is **INCONSISTENT** with the Lee Plan since this would increase the mining operation activities.

**POLICY 5.1.5:** Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments. (Amended by Ordinance No. 94-30, 99-15, 00-22)

As stated elsewhere in this report, single family residences exist in this area. In addition, east of this property along both the north and south side of Corkscrew Road there are other existing residential areas. These areas include residential use along Corkscrew Road, Six L's Farm Road, Burgundy Lane, and Lazy D Farm Road. Staff notes this since the application proposal provides for all traffic related to this development will use Corkscrew Road west from the mining operation through these existing residential areas. The applicant and staff agree that residential uses exist in the area of this project and west along Corkscrew Road. These other residential uses located west of the subject property and before the Alico Road intersection all use Corkscrew Road as their sole means of vehicular access. This application, if approved, will increase the traffic from 142 trips per day (2001 Traffic Impact Statement) to an estimated 500 trucks per day (1000 trips)(per Table 1) as indicated in the Traffic Impact Statement submitted with this application. The applicant's submitted traffic impact statement already indicates that the existing mining operation sustains a hauling rate of 350 trucks per day, or a total of 700 trips. This is a substantial increase in heavy truck traffic using Corkscrew Road. Staff notes even with the previous zoning approval and related conditions, additional impacts potentially destructive to the character and integrity of the residential environment are occurring. This request would increase these impacts which are potentially destructive to the existing and future residential environment for a period of 31 years from April 30, 2001 (refer to Condition 1 of Resolution Z-01-016). In comparison, above cited transportation numbers from the applicant are compared to an estimated 746 dump truck trips (two-way) or 1,492 (one-way) trips in the recently decided Schwab 640 application.

Maintaining the existing wetland area to the front of the site may in part act to visually buffer some of the operation, however, in staff's opinion the remaining property is not adequately buffered. The provision of a 15 foot berm along the frontage of the site and the provision of a Type "D" buffer will do little to address the potentially incompatible activities related to this mining operation uses in a satisfactory manner, particularly the increased truck traffic generated by this operation on Corkscrew Road, the proposed 24-hour operations, and the lighting and noise related to these activities.

Staff recommends that this request be found **INCONSISTENT** with this Policy of the Lee Plan.

**POLICY 7.1.2:** Industrial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments designed to arrange uses as an integrated and cohesive unit in order to:

- promote compatibility and screening;
  - reduce dependence on the automobile;
  - promote pedestrian movement within the development;
  - utilize joint parking, access and loading facilities;
  - avoid negative impacts on surrounding land uses and traffic circulation;
  - protect natural resources; and
  - provide necessary facilities and services where they are inadequate to serve the proposed use.
- (Amended by Ordinance No. 94-30, 98-09, 00-22)

The proposed increase in the operations of this project with the increased depth, increased hours of operation, and increased truck traffic above that analyzed in the 2001 approval of this zoning is not compatible with surrounding and nearby land uses. Approval would introduce increased mining activity into an area of Lee County where it does not currently exist. Although the applicant has stated a willingness to provide greater buffering, the Master Concept Plan

(received on March 26, 2003) depicts a 15 foot exterior berm with a Type "D" buffer. This will not adequately buffer the impacts of the 24 hour mining land uses from Corkscrew Road and the adjoining and nearby properties. Traffic circulation will be impacted by increasing the amount of truck traffic on this portion of Corkscrew Road. This will negatively impact the residents located off of Corkscrew Road east of Alico Road.

The request, see the Environmental Sciences report, also seeks to remove a 15 acre wetland in the center of the property. This wetland is under a Conservation Easement to the water management district. This application does not protect an existing natural resource found on the subject property.

In staff's opinion, this application is **INCONSISTENT** with this Policy of the Lee Plan.

**POLICY 7.1.3:** Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of: topography; choice and flexibility in site selection; access by truck, air, deep water, and rail; commuter access from home-to-work trips; and utilities; greenbelt and other amenities; air and water quality considerations; proximity to supportive and related land uses; and compatibility with neighboring uses. (Amended by Ordinance No. 93-25, 94-30, 00-22)

The 2001 zoning approval analyzed an impact of 142 trips that would be generated by this operation. The applicant's own impact statement submitted with this application indicates a total of 350 trucks or 700 trips is existing today with a proposed increase to 500 trucks or 1000 trips. The site is not proximate to any other related uses, with the exception of the land uses existing within the planned development.

Staff finds the request is **INCONSISTENT** with this Policy of the Lee Plan.

**POLICY 7.1.9:** Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas. (Amended by Ordinance No. 00-22)

The applicant is seeking approval of additional industrial use and activity. This increased activity includes the increased traffic to be generated and the increased hours of operations. Approval to allow this amendment would allow all industrial traffic, according to the applicant's own traffic impact statement, to travel through a predominantly residential area which exists west of the subject property on both sides of Corkscrew Road which is **INCONSISTENT** with this Policy.

**GOAL 10: NATURAL RESOURCE EXTRACTION.** To protect areas containing identified natural resources from incompatible urban development, while insuring that natural resource extraction operations minimize or eliminate adverse effects on surrounding land use and natural resources. (Amended by Ordinance No. 02-02)

**OBJECTIVE 10.1:** Designate through the rezoning process sufficient lands suitable for providing fill material, limerock, and other natural resource extraction materials to meet the county's needs and to export to other communities, while providing adequate protection for the county's natural resources. (Amended by Ordinance No. 94-30, 02-02)

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The County is currently in the process of studying the DRGR land use category coupled with the mining resources found in this area of Lee County. This has not been completed at the time of

the preparation of this staff report. The previous approval has found the use activity and intensity of use approved in the 2001 zoning case as being consistent with the Lee Plan.

**POLICY 10.1.1:** Natural resource extraction operations intending to withdraw groundwater for any purpose must provide a monitoring system to measure groundwater impacts. (Amended by Ordinance No. 02-02)

The applicant has indicated that they will be providing a monitoring system. This will measure the supply and if there is a depletion in the amount of water that is in the ground during the dewatering. The applicant has indicated that additional monitoring to determine if there is any groundwater contamination can be done. In staff's opinion, the proposed request is **CONSISTENT** with this Policy.

**POLICY 10.1.2:** Applications for natural resource extraction permits for new or expanding areas must include an environmental assessment. The assessment will include (but not be limited to) consideration of air emissions, impact on environmental and natural resources, effect on nearby land uses, degradation of water quality, depletion of water quantity, drainage, fire and safety, noise, odor, visual impacts, transportation including access roads, sewage disposal, and solid waste disposal. (Amended by Ordinance No. 00-22, 02-02)

Environmental Sciences reports that there are impacts to a 15 acre wetland on the site. This wetland is under an Conservation Easement to the South Florida Water Management District. The applicant has requested a depth of up to 95 feet or the confining layer. No commitment has been made by the applicant to provide further limitation on the drilling, trenching, or other penetration of the earth beyond this depth. Without commitment to this effect, staff is concerned about the potential degradation of water quality and quantity. Staff finds that this impact would be **INCONSISTENT** with this Policy.

**POLICY 10.1.4:** Natural resource extraction activities (and industrial uses which are ancillary to natural resource extraction) may be permitted in areas indicated on the Future Land Use Map as Rural, Open Lands, and Density Reduction/Groundwater Resources, provided they have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further that they have no significant adverse effects such as dust and noise on surrounding land uses and natural resources. In order to reduce transport costs and minimize wear on the county's roadways, the extraction and transport of fill material may also be permitted as an interim use in the Future Urban Areas provided that the above requirements are met; however, special restrictions may also be applied to protect other land uses. These determinations will be made during the rezoning process. (Amended by Ordinance No. 94-30, 00-22, 02-02)

Condition 10 of Resolution Z-01-06 provides for adequate fire protection. Staff finds the applicant's requested deviation and request to allow a second access point will lead to safety, welfare and operational issues due to loaded and very slow moving vehicles entering and exiting the road at two separate points in a high speed section (55 miles per hour) of Corkscrew Road.

Although potentially operating in compliance with local and state regulations, mining operations do generate dust, noise, and dirt. This dust is observed in other mining operations off-site adversely impacting surrounding land uses. As the equipment is operating, noise from the machinery and trucks will be heard on and off-site. The applicant has requested a 24 hour operation which could lead to additional impacts. Trucks sounds slowing to enter the project and increasing speeds entering the road will be heard west of the subject property where homes



exist along the south side of Corkscrew Road. No provision have been made on the Master Concept Plan to reduce or eliminate trucks tracking dirt onto Corkscrew Road. In the instance of another mining operation (Southwest Florida Rock), the applicant committed to placing all rock crushing operations must be conducted within a metal or solid enclosure in order to reduce impacts on nearby residential areas.

**POLICY 24.1.4:** Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided. (Relocated by Ordinance No. 99-15, Amended by Ordinance No. 99-15)

Staff recognizes the current facility already is permitted and the truck traffic already is traveling on Corkscrew Road west of the subject property through areas supporting low density single family residential use. Approval of this request would allow an even greater amount of traffic to travel through this area, which is **INCONSISTENT** with this Policy.

**POLICY 100.9.5:** New development adjacent to areas of established residential neighborhoods must be compatible with or improve the area's existing character. (Amended by Ordinance No. 00-22)

Increased industrial activity consisting of increased mining depth, mining operations on a 24 hour basis, and an increase in the amount of industrial traffic is not compatible nor improves the area's existing character. Traffic, dust, dirt, noise, and vibrations will be continued for 31 years as part of this request which is not compatible with the existing character of the area. The provision of a 10 - 15 foot high berm on the exterior of the project does not adequately serve to buffer the nearby existing and future residential area from the impacts of this development.

#### Neighborhood Compatibility

This area of Lee County is made up of a mixture of primarily residential and agricultural uses. Two areas east of the intersection of Alico Road along Corkscrew Road have been approved for excavation, mining activities. These are the subject property and the tract at the southeastern corner of Six L's Farm Road and Corkscrew Road. The latter property was the subject of a zoning request heard in 2002. There is also one parcel east of the Alico Road and Corkscrew Road intersection approved for a private recreational facility (golf course).

#### Environmental Issues

Environmental Science reports (Attachment F) the subject property consists of existing agricultural fields, herbaceous wetlands, Hydric Pine Flatwoods, Mixed hardwood wetlands and disturbed cypress heads containing approximately 602 acres. The project would require 120.42 acres of open space, half of which must be provided as indigenous open space. The Master Concept Plan indicates that approximately 145 acres will be left as open space with approximately 66.5 acres of indigenous open space preserved in place. Additionally, a flowway will be created along the north half of the west side of the proposed mine. This meets LDC required open space and indigenous open space regulations.

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The proposed Master Concept Plan indicates that a 15 acre wetland in the center of the property will be removed through the mining process. This wetland is currently under Conservation

Easement to the South Florida Water Management District. ES staff cannot support the removal of a wetland under Conservation Easement to a sister agency and recommends the following condition if this request is approved:

***The 15.11 acre wetland located in the center of the project cannot be removed or further impacted until proof of Vacation of the Conservation Easement and approval of impacts to the wetland has been provided to Staff for review.***

Staff finds the construction of spoil piles used to dry excavated material adjacent to wetland areas poses a great risk of sedimentation to the preserves. To protect the proposed wetland preserve areas from sedimentation caused by run-off from spoil piles, ES staff recommends the following condition if the request is approved:

***The placement of spoil stockpiles is prohibited within 100 linear feet of any preserve.***

A protected species survey of Lee County listed species meeting the requirements of LDC Section 10-473 was conducted by Boylan Environmental Consultants, Inc. finding no listed species were observed onsite.

The applicant has submitted mine reclamation criteria including a final lake edge slope of 4:1, littoral plantings, and reclamation to be completed within 12 months of completion of mining activities in the subject areas. LDC Section 34-1674(b)(8) requires reclamation to begin within 6 months after completion in any area that will not be disturbed by future operations, and will be completed within 12 months or whenever the operations have been abandoned or the general excavation permit expires, whichever comes first.

ES staff recommends the following condition to confirm mine reclamation requirements, if the request is approved:

***Prior to local development order approval, the development order plans must include:***

- 1. the number of littoral plants to be installed per phase calculated on one herbaceous plant per foot; and***
- 2. the species of native wetland plants to be installed; and***
- 3. the general locations of the littoral plantings; and***
- 4. a statement indicating the reclamation must begin within 6 months of completion of mining in any area that will not be disturbed by future operations, and the reclamation will be completed within 12 months or whenever the operations have been abandoned or the general excavation permit expires, whichever comes first.***

The Master Concept Plan also shows a Flowway Creation area to be constructed. To ensure that the flowway is constructed in a timely manor, ES staff recommends the following condition.

***The Development Order must include a detailed planting plan for the flowway. This plan must include proposed grades, plant species to be used, plant densities, and a time-line for construction completion.***

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The reclamation plan states that "Site cleanup at completion of mining will consist of removing or burying all debris, litter, junk, equipment or materials. Disposal of these items by burying

them poses an ecological threat to Lee County. ES staff recommends the following condition to ensure that all post-construction material is properly disposed of.

***The Reclamation of this site must include the removal of all debris, litter, junk, and equipment from the site.***

#### Airport Operations (Tall Structures Permit)

The subject property lies north of an existing private airfield. The current arrangement of the airfield results in the flight patterns being over the approved mining operations. The Lee County Port Authority staff has inspected the mining operation and airfield and finds that a Tall Structures Permit is required for the current mining operations. This permit has been approved by the Lee County Port Authority staff.

#### Material Extraction

The applicant's engineering firm indicates that there will be 64.35 million cubic yards of material to be excavated, based on the applicant's request. The Allied Engineering and Testing report states 64.899 million cubic yards will be excavated. The applicant further estimates that 45 million cubic yards of limerock would be removed.

#### Transportation

Lee County DOT (Attachment G) reports that a second access point is sought in this application. The proposed access as designed so that it meets the connection separation criteria of the Land Development Code.

The 2001 zoning approval analyzed the impact of 142 trips that would be generated by this operation. The applicant's own impact statement submitted with this application indicates a total of 350 trucks or 700 trips exists today with a proposed increase to 500 trucks or 1000 trips. On a recent site inspection, workers at the mining operation advised Development Services staff that they were sending out 600 to 700 trucks per day, already exceeding the expected traffic generated by the proposed development.

#### IV. ATTACHMENTS:

- A. Map of surrounding zoning
- B. Resolution Z-01-016
- C. Applicant's supporting documentation
- D. Applicant's Traffic Impact Statement and Sufficiency Response
- E. Applicant's Geotechnical Report
- F. Comments from Environmental Sciences
- G. Comments from Lee County DOT

cc: Applicant  
County Attorney  
Zoning/DCI File