



# Department of Economic Growth

## Mining Conditional Use Permit Application/Procedures/Checklist

1. Project name: \_\_\_\_\_
2. Owner's name: \_\_\_\_\_  
Complete mailing address: \_\_\_\_\_  
Telephone number: \_\_\_\_\_ E-Mail address \_\_\_\_\_
3. Applicant's name: \_\_\_\_\_  
Complete mailing address: \_\_\_\_\_  
Telephone number: \_\_\_\_\_ E-Mail address \_\_\_\_\_
4. The property is generally located in the vicinity of the following streets: \_\_\_\_\_  
\_\_\_\_\_
5. Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ (Please attach legal description)  
Alternate Key Number: \_\_\_\_\_
6. Area of property: \_\_\_\_\_ Acres \_\_\_\_\_ Square Feet
7. Property is or will be serviced by:  
\_\_\_\_\_ Central Water & Sewer OR \_\_\_\_\_ Well & Septic Tank
8. List existing structure(s) located on site and its use: \_\_\_\_\_  
\_\_\_\_\_
9. The property is to be used for: \_\_\_\_\_
10. Applicant is hereby requesting an amendment to \_\_\_\_\_ (existing file number) OR  
\_\_\_\_\_ an application for a Mining Conditional Use Permit in accordance with Chapter 6.06.00  
(LDRs)
11. Is this application, for the above, being requested due to any Code Violation(s)? Specify the basis  
or reason(s) for this request: \_\_\_\_\_  
\_\_\_\_\_
12. Has any previous application been filed in connection with this property?  
YES \_\_\_\_\_ NO \_\_\_\_\_ If yes, briefly described the nature and outcome of the request:  
\_\_\_\_\_  
\_\_\_\_\_
13. If the project is to be developed in phases, give a brief description of how it will be phased or attach  
a legible descriptive document: \_\_\_\_\_  
\_\_\_\_\_

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14. Please attach the exact legal description for the property being petitioned. A legible tax receipt or property record card and a copy of the warranty deed are required. A current survey of such property may also be required.
  15. List of surrounding property owners (provided by Staff): complete names and addresses of property owners of property lying within five hundred feet (500') surrounding the property legally described in number 14 of this application. Names will be obtained from the latest official County Tax Rolls, as recorded, located in the office of the Lake County Property Appraiser.

To be completed by Staff:
Date: _____ Address #: _____
Verbal Pre-Submittal Project# _____
Public Hearing #: _____
Project #: _____ AR #: _____
Existing Zoning: _____ Future Land Use Category: _____
Section: _____ Township: _____ Range: _____
Planning Area: _____ Utility Service Area: _____
Commission District: _____
Staff Name and Title: _____
Comments: _____
_____
_____
_____

**OWNER'S AFFIDAVIT**

STATE OF FLORIDA

COUNTY OF LAKE

Before me, the undersigned authority personally appeared \_\_\_\_\_  
\_\_\_\_\_ who being by me first duly sworn on oath,  
deposes and says:

- (1) That he/she is the fee-simple owner of the property legally described on this application.
- (2) That he/she desires a Mining Conditional Use Permit to accomplish the above desired request, as stated on page one of this Application.
- (3) That he/she has appointed \_\_\_\_\_ to act as Agent in their behalf to accomplish the above.
- (4) Permission is granted for staff to conduct a site visit for purposes of review of this mining conditional use permit or development plan.

\_\_\_\_\_  
(Owner's Signature)

STATE OF FLORIDA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who has  
produced \_\_\_\_\_, as identification.

\_\_\_\_\_  
Notary Public (Signature)

\_\_\_\_\_  
Print or type Notary Name

Commission (serial) Number \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

NOTE: The Owner is also required to complete the Applicant's Affidavit of this Application if no agent is appointed to act in his stead.

**APPLICANT'S AFFIDAVIT**

STATE OF FLORIDA

COUNTY OF LAKE

Before me, the undersigned authority personally appeared \_\_\_\_\_  
\_\_\_\_\_ who being first duly sworn on oath,  
deposes and says:

- (1) That he/she Affirms and Certifies that he/she understands and will comply with all Ordinances, Regulations, and Provisions of Lake County, and that all statements and diagrams submitted herewith and attached hereto, are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of Lake County, Florida, and are not Returnable.
- (2) That he/she desires a Mining Conditional Use Permit to accomplish the above, as stated on Page One.
- (3) That the submittal requirements for this Application have been completed and attached hereto as part of this Application.

\_\_\_\_\_  
(Applicant's Signature)

STATE OF FLORIDA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_, by \_\_\_\_\_, who is personally known to me or  
who has produced \_\_\_\_\_, as identification.

\_\_\_\_\_  
Notary Public (Signature)

\_\_\_\_\_  
Print or type Notary Name  
Commission (serial) Number \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

## PROCEDURES

- Upon receipt of the completed application and supporting documents, the application will be processed for advertising of a public hearing before the Planning and Zoning Board and the Board of County Commissioners in accordance with the following:
  - Advertise the requested application at least fifteen (15) days prior to the public hearing in a newspaper of general circulation in the County, or in the geographical areas of the County where the conditional use is proposed. Said notice shall state the date, time, nature of the request and the place where such meeting is to be held.
  - The County will notify the abutting property owners and the owners within a 500' foot radius by mail of the date, time, nature of the request and the place of the public hearing.
  - Sign cards shall be visibly posted by Lake County on the road frontage of where the property being considered is located; if the frontage is in excess of three-hundred (300') feet, sign cards shall be posted at intervals of three-hundred feet along the frontage. In cases where the property does not have frontage on a road, the sign cards shall be visibly posted at the property corners and where the access road intersects with the nearest County-maintained road.
  - A sufficient application will be heard before the Planning and Zoning Board on the first Wednesday of the third month following the submittal; it will be heard before the Board of County Commissioners on the fourth Tuesday of that month.

### **Mandatory Pre-application Conference (pre-submittal):**

At least ten working days prior to the scheduled conference date, the applicant shall submit the following:

1. \_\_\_\_ Completed DRS Pre-Submittal Application
2. \_\_\_\_ Property record card or current tax receipt
3. \_\_\_\_ One (1) copy of conceptual plan (11" x 17") and any supporting material (i.e. location map, most recent aerial, wetlands map, proposed haul route, concept plans/drawings, proposed mining activity sand/peat/clay, electric or diesel, floating dredge or mechanical harvesting, etc.)
4. \_\_\_\_ Application fee of \$375.00, payable to Lake County Board of County Commissioners

### **Mining Conditional Use Permit Requirements:**

The applicant will be required to submit an application meeting the following minimum requirements below. Please produce your responses in the same order, numbering them as presented in the checklist section below (1-21). Along with the following:

- One (1) hard copy of completed or revised Mining Conditional Use Permit application/response.
- Application fees.

Upon submission of the mining conditional use permit and appropriate fees, the project shall be reviewed by County staff within 30 days after submittal of a complete application.

1. \_\_\_\_ Property Owner's name, address and telephone number.  
\_\_\_\_ Evidence of ownership such as current tax receipt or property record card(s) and warranty deed shall be provided as well as the written consent of all landowners. Copies of said consent agreement shall be attached to the application.  
\_\_\_\_ Ownership and Encumbrances (O&E) or opinion of title may be required.

2.  Mine operators name, address and telephone number.  
 Applicant's name, address and telephone number (if applicant is not landowner), or person that will physically alter the land.
- 3  Proposed date mining activities will commence.  
 Projected completion date of mining activities.
4.  Accurate legal description of the specific parcel(s) on which mining activities are to be conducted. Attach legal description, which will used in the advertising of the property and in the preparation of the MSP ordinance.  
 Property street address (if any).  
 Area of property in square feet \_\_\_\_\_ acres \_\_\_\_\_  
 A current survey of such property may also be required.
5.  List of property owners contiguous to and within 500 feet of proposed mining property, based on real property tax roll (provided by Staff).
6.  Concept plans showing dimensions and location of all existing and proposed buildings, signs, driveways, off-street parking areas, loading and unloading areas, exterior walls and fences.  
 Specifications for the paving of streets, parking areas and walks, provisions for parallel service roads and exterior walls and fences.
7.  Plans or reports describing the method of handling any traffic condition created by the proposed use.
8.  Plans or reports showing the proposed treatment of the following:  
 proposed treatment and disposal of sewage and waste  
 treatment of glare  
 handling of hazardous gases, liquids and other materials
9.  Attach copies of any approved permits or permit applications submitted to, or required to be submitted to all state, federal, regional and local permitting agencies such as FDEP, St. John's, SWFWMD, Consumptive Use Permits, ERP, ACOE, FFWCC, etc.
10.  Wetlands Alteration and Mitigation Plans (if wetland alteration is proposed)  
 location and type of wetlands to be altered  
 location and type of wetland mitigation areas  
 mitigation ratios  
 methods to be utilized for mitigation
11.  Uplands Alteration and Mitigation Plans (Xeric oak communities)  
 location and type of uplands to be altered  
 location and type of upland mitigation areas  
 mitigation ratios  
 methods to be utilized for mitigation
12.  A map or series of maps prepared at a scale of 1" = 200' or 1" = 400' (the scale of the maps shall be consistent with the scale of the aerial photograph required) which depicts:  
 Date, North arrow and scale.  
 Size, shape and geographic location of the proposed mining operation and location of the nearest major highways.

- \_\_\_\_\_ Existing topography of the proposed mining site and its relationship to the existing watershed; contour lines shall be drawn at five-foot intervals of actual ground contours.
- \_\_\_\_\_ An aerial photograph (same scale as all other required maps) of proposed mining site and surrounding property (photos of flight most recently available through the County Engineer's office, DOT, SCS or other agency will be accepted).
- \_\_\_\_\_ Existing on-site natural or manmade features, and on property within 300' of the proposed mine if said information is available for the off-site property, including but not limited to:
  - \_\_\_ Watercourses
  - \_\_\_ Soils
  - \_\_\_ Wetlands
  - \_\_\_ Roads
  - \_\_\_ Railroads
  - \_\_\_ Wells
  - \_\_\_ Dikes
  - \_\_\_ Canals
  - \_\_\_ Chemical storage
  - \_\_\_ Existing buildings and structures
  - \_\_\_ Hazardous materials storage (on-site only)
  - \_\_\_ Designated vegetative and wildlife species
  - \_\_\_ Right-of-way lines and easement lines (on-site only)
  - \_\_\_ Pumps and other water-handling devices and systems
  - \_\_\_ Utility lines (above and below ground on-site only and above ground off-site)
  - \_\_\_ Fuel storage tanks (surface and sub-surface on-site and surface only off-site)
  - \_\_\_ Flood-prone areas and flood elevations (based on 100-year frequency flood conditions, FEMA maps)
- \_\_\_\_\_ Proposed features to include but not limited to:
  - \_\_\_ Fences
  - \_\_\_ Railroads
  - \_\_\_ Mining pits
  - \_\_\_ Utility lines
  - \_\_\_ Property lines
  - \_\_\_ Easement lines
  - \_\_\_ Right-of-way lines
  - \_\_\_ Air emissions sources
  - \_\_\_ Potable water facilities
  - \_\_\_ Ingress/egress roads
  - \_\_\_ Facilities and structures

- Wetland mitigation areas
- Sewage treatment facilities
- Septic tanks and drain fields
- Hazardous materials storage
- Chemical and fuel storage tanks
- Permanent internal access roads
- Fences, walls or vegetative buffer (identify materials)
- Setbacks from right-of-way, easements, and property lines
- Map depicting proposed major access routes in Lake County, including impacted intersections closest to the mining operation, proposed daily volume of vehicles hauling excavated materials during the first year of operation.

13.  Estimates or computations of total acreage within proposed mine acreage required for waste storage, acreage in actual mining pits, acreage of existing and/or anticipated water bodies.
14.  A schedule showing the proposed sequence of mining activities that will be revised and reviewed on a yearly basis (phasing plan).
15.  Cross-sectional drawing referenced to NGVD showing the proposed depth of the excavation area and the slope of the site and depth of the water, if any, in the mining area at the time of completion of the mining activity (reclamation plan).
16.  A hydrogeologic report on surface and groundwater conditions and the hydrogeologic impact of the proposed activity. The report shall be prepared by a person licensed by the State of Florida as a professional geologist.
17.  An Environmental Report identifying the location and extent of designated species as identified in Chapter 39, Sections 39-27.003, 39-27.004 and 39-27.005, Florida Administrative Code and Florida Statutes Chapter 581, 581.185(5)(a) and (b). The environmental report shall address at a minimum the impact of the proposed activity on such species and the methods to be used to mitigate adverse impacts.
18.  Conceptual plans, which include provisions for the stabilization of disturbed soils to prevent erosion by water and wind, and provisions for landscaping and buffering (i.e. berms, natural existing landscape screening and planted landscaping).
19.  A workable, environmentally sound reclamation plan which follows the requirement of the Code, including:
  - Plan view with cross sections
  - Depict and describe manmade and natural features to exist upon completion.
  - Depict at least two typical cross sections generally oriented at 90° to each other.
  - Plan view with contours showing areas to be filled, back-filled, reconstructed and reshaped.
  - Identify size, type, location and planting schedule for all vegetation to be planted or seeded.
  - Water elevation shall be shown when a lake creation is proposed.
  - Bottom depth contours of impacted or manmade water bodies
20.  Site-specific information requirements may be modified, or additional information may be requested by the County. Additional aquifer testing and/or water quality testing, including sampling of wells in the Florida Aquifer, may be required in areas of known groundwater contamination or in prime recharge areas. The applicant shall bear all costs associated with testing.
21.  In the event that the Department of Natural Resources shall issue a determination of

confidentiality pursuant to F.S. Ch 378, 378.406, the County shall honor said determination.

A Traffic Impact Study (TIS) will generally not be required for projects, meeting the following conditions: The proposed development meets the “De Minimus” criteria specified by LDR Chapter 5.01.03 (A&B), Exemptions for Development with “De Minimus” Impact and the development site is on a roadway currently operating at vehicles/capacity (V/C) ratio below 0.5.

For development sites that do not meet the “De Minimus” criteria, but generate less than 25 net new vehicular trips based upon weekday A.M. peak-hour, weekday P.M. peak hour and or weekend peak-hour trips; a Request of Exemption Letter must be submitted. The minimum data required for this letter is described in Lake Sumter MPO Traffic Impact Study Methodology Guidelines. A traffic impact study will be required as outlined in the MPO Manual for all other development sites.

Please contact the Lake County Public Works Department at 352-483-9040 with any questions regarding requirements.

**Reapplication:**

Please note, in accordance with the Land Development Regulations, in the event of a denial of an application, a reapplication for Mining Conditional Use Permit Approval for all or a portion of the property described in the original application shall not be allowed for a period of one (1) year from the date of the denial unless said time frame is waived by the Board of County Commissioners. The Board may waive the one-year period if it finds that the basis for denial of the original application no longer exists because of changed circumstances or the discovery of evidence not produced at the original Public Hearing.