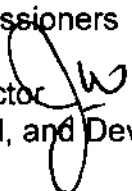




Interoffice Memorandum

August 26, 2020

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E. Director 
Planning, Environmental, and Development
Services Department

CONTACT PERSON: **David D. Jones, P.E., CEP, Manager**
Environmental Protection Division
(407) 836-1406

SUBJECT: September 22, 2020 – Public Hearing
Solid Waste Management Facility Permit Application No. SW-19-06-001 for a Materials Recovery Facility and Transfer Station submitted by Angelo's Aggregate Materials Ltd. (Related to Case SE-19-07-068)

The Environmental Protection Division (EPD) has received an application (SW-19-06-001) for a Solid Waste Management Facility Permit to construct, operate, and close as necessary, a Materials Recovery Facility and Transfer Station for construction and demolition (C&D) debris. In accordance with County Code 32-214(j), this permit application is being brought to the Board for consideration.

The related Board of Zoning Adjustment (BZA) Case # SE-19-07-068 was continued from the August 11, 2020 BCC hearing at the request of the appellant in that case. In order for these two items to be heard concurrently, as required by County Code 32-214(a)(3), the BCC hearing for this item was similarly continued from August 11, 2020 to September 22, 2020. The information in this staff report is otherwise substantially the same.

The Parcel ID numbers for the site are: 02-24-29-8220-00-070, 02-24-29-8220-00-290, and 02-24-29-7268-00-071. The property is located at the southwest corner of the intersection of West Landstreet Road and Parkers Landing, at 500 West Landstreet Road, Orlando, Florida. The facility will occupy less than one acre within an approximately 44.7 acre site. The subject property is located in District 4.

This public hearing is to be concurrent with the related public hearing for Special Exception case SE-19-07-068.

Background

The proposed facility will be collocated with a previously approved concrete crushing facility at the site. Although concrete crushing operations have not commenced as yet, the operators began clearing the site at the end of 2019 in preparation for that activity.

On December 12, 2019, the Florida Department of Environmental Protection issued Permit Number 0377668-001-SO to construct and operate the Angelo's Recycling C&D waste processing facility.

Description of Operations

The proposed facility will receive C&D Debris solid waste for transfer and recycling. Materials such as wood, metal, cardboard, and plastic will be separated for recycling and resale. Non-recyclable material will be transferred to a permitted disposal facility. No on-site disposal is proposed.

Incoming waste will be received and stored within an approximately 200 ft. x 100 ft. area stabilized with crushed concrete on parcel 02-24-29-8220-00-070. Parcel 02-24-29-7268-00-071 will serve primarily as the stormwater management system for the overall site. Parcel 02-24-29-8220-00-290 is not impacted by the proposed solid waste operations, but is included as part of the overall site.

C&D debris is a class of solid waste that is generally considered to be not water soluble and nonhazardous in nature including, but not limited to, steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure. Other wastes such as yard trash and other types of vegetative matter can also be included within this class of solid waste.

A materials recovery facility provides for the extraction from solid waste of recyclable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

A transfer station is a site the primary purpose of which is to store or hold solid waste for transport to a processing or solid waste disposal facility. At this type of facility, incoming loads are typically combined into larger outgoing loads for more efficient transport.

Community Meeting

A community meeting was held on June 25, 2019 regarding the special exception application for the project. Much of the ensuing discussion centered on the previously approved concrete crushing plant at the site, and potential additional incremental impacts of this proposed operation.

Development Review Committee (DRC)

On April 24, 2019, the DRC recommended approval of the project DP-18-04-120 "ANGELO'S RECYCLED MATERIALS C & D RECYCLING & TRANSFER FACILITY SPECIAL EXCEPTION SITE PLAN" subject to 16 conditions of approval. The project

returned to DRC on January 22, 2020 and condition number 16 was modified to refine the action and timing to state, "Prior to or concurrently with issuance of any building permit for the solid waste facility Special Exception approval, the existing drainage easement shall be modified and existing improvements relocated, both to County's satisfaction."

Board of Zoning Adjustment (BZA)

At a public hearing on January 2, 2020 the BZA recommended approval of the Special Exception SE-19-07-068 subject to 8 conditions of approval. Additional information is provided in a separate staff report covering the request for a special exception to allow a construction and demolition debris recycling facility.

Application Review

On June 24, 2019, EPD received an application (SW-19-06-001) for a solid waste management facility permit. Pursuant to County Code Chapter 32, Article V, EPD staff has evaluated the permit application and required documentation. The complete application forms are available on file at EPD. The review is now complete. The applicant has satisfied the Code requirements and/or requested waivers as needed.

Traffic Study

There is an existing center left turn lane from westbound on West Landstreet Road turning south to Parkers Landing. The applicant has agreed to construct a right turn lane from eastbound on West Landstreet Road turning south onto Parkers Landing, and also to provide a dedicated northbound left/through lane on Parkers Landing at West Landstreet Road.

Dust Control

The potential for offsite dust due to the proposed solid waste management facility will be controlled through the central location for C&D debris, the pile height limit for C&D debris in proposed condition of approval (COA) #13, the requirement in COA #14 for dirt entrainment/tracking control at the exit, and the requirement in COA #15 for general dust suppression along the driveway to the C&D debris recycling and transfer area. Potential dust from crushers associated with the previously approved concrete crushing operation are addressed under air quality management regulations and typically will require an air general permit for a crusher brought to the site.

Waiver Requests

In accordance with County Code Section 32-214(k), the Board may grant waivers to the regulations in County Code Chapter 32, Article V. The applicant has requested the following waivers:

1. A waiver from the landscaping requirements of County Code Sec. 32-216(b)(3) to allow keeping natural existing vegetation instead. This waiver request is further addressed by the following DRC recommended conditions of approval:

14. If at any time a permanent building is requested, then such building shall comply with the building perimeter landscaping requirements of Orange County

Code Chapter 24 Landscaping, Buffering and Open Space, assuming such building is approved through an amendment to this Special Exception Site Plan.

15. If at any time natural vegetation is insufficient to provide a visual buffer from adjacent properties, the landscaping shall be supplemented with additional shade trees in compliance with Orange County Code Chapter 24 Landscaping, Buffering and Open Space and Chapter 32.

2. A waiver from the setback requirements of County Code Sec. 32-216(a)(11)a. to allow a 110 ft. setback in lieu of a 150 ft. setback from the right-of-way located south of parcel 02-24-29-8220-00-070. The right-of-way is approximately 40 ft. wide and is currently unimproved and covered by natural vegetation. County Code also requires a 150 ft. setback from abutting properties. There is a developed property located south of the unimproved right-of-way, south southwest of the recycling and transfer area, and is the next closest potentially affected parcel. The applicant has adjusted the initial design of their project to ensure that there will be at least a 150 ft. setback from that property.
3. A waiver from the stormwater treatment requirements of 32-216(b)(6) for primarily dry detention, to allow treatment using a primarily wet pond system. Chapter 32, Article V includes requirements that are inadvertently inflexible in scenarios where treatment using wet retention/detention is warranted. Chapter 30 Article VIII (Orange County Site Development Ordinance) is more detailed in these scenarios and the applicant has designed a system to meet those County-wide site development requirements. The current stormwater system design was previously reviewed and approved by County staff and minimal additional impervious area is proposed. Total stormwater storage volume is not addressed under Chapter 32 Article V, but is addressed under Chapter 30.

Staff has no objections to the requested waivers.

Staff Recommendation

In accordance with County Code Sec. 32-214(f), the Board may approve permit applications for a maximum period of five (5) years. Staff recommends approval of the Solid Waste Management Facility permit, with waivers as recommended above, for five (5) years ending August 10, 2025, and subject to the following conditions:

General

1. In the case of any conflict among these conditions, or between these conditions and applicable laws, the more extensive and restrictive requirements shall apply.
2. All plans, reports and other supporting documents submitted with the permit application, as approved, are incorporated as part of this permit, and operation shall proceed in accordance with these documents and the permit conditions. This permit includes, at a minimum, the following documents:

- a. Application for a Solid Waste Management Facility permit application dated June 17, 2019, submitted by Jennifer L. Deal, P.E., of Cornerstone Environmental Group, LLC, A Tetra Tech Company.
 - b. Response to Request for Additional Information (TR #1), dated September 30, 2019, submitted by Jennifer L. Deal, P.E., of Cornerstone Environmental Group, LLC, A Tetra Tech Company.
 - c. Response to Request for Additional Information (TR #2), dated December 18, 2019, submitted by Jennifer L. Deal, P.E., of Cornerstone Environmental Group, LLC, A Tetra Tech Company.
 - d. Angelo's Aggregate Materials 500 West Landstreet Road Traffic Study; Response to February 28, 2020 Comments (LTEC № 19-3101), dated March 11, 2020, submitted by J. Anthony Luke, P.E., of Luke Transportation Engineering Consultants, Inc.
 - e. Angelo's Aggregate Materials 500 West Landstreet Road Traffic Study; Response to Additional Orange County Comments, dated April 14, 2020, submitted by J. Anthony Luke, P.E., of Luke Transportation Engineering Consultants, Inc.
3. Facility construction and operations based upon this approval shall comply with all applicable federal, state and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances and regulations are expressly waived or modified by these conditions, or by action approved by the Board, or by action of the Board.
- *4. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
- Pursuant to Section 125.022, ^{Florida Statutes,} the applicant shall obtain all other applicable state or federal permits before commencement of development.
5. Facility construction and operations shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or his or her authorized agent) to the Board at the public hearing where this permit was approved, where such promise or representation, whether oral or written, was relied upon by the Board in approving the permit, could have reasonably been expected to have been relied upon by the Board in approving the permit, or could have reasonably induced or otherwise influenced the Board to approve the permit. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant

(or his or her authorized agent) if it was expressly made to the Board at a public hearing where the permit was considered or approved.

6. Cost estimates for financial assurance shall be revised at least annually and also whenever changes in operation would cause a revised cost estimate to exceed the amount available through the financial assurance mechanism. Cost estimates shall be based upon the time period in the facility operation when the extent and manner of its operation make closing most expensive, subject to EPD approval.
7. The facility shall be open to the County for the purpose of inspection during normal working hours of the facility and at any other time when work is in progress. During periods of inactivity, upon request, the County shall be provided access to the site within one business day.
8. The approved Hours of Operation are:

Monday - Friday:	7:00 a.m. – 7:00 p.m.
Saturday:	7:00 a.m. – 7:00 p.m.
Sunday:	None

Receipt or shipment of waste and waste processing, are limited to within the Hours of Operation. Activities such as maintenance and cleaning are not considered operation and may be scheduled at the facility's discretion.

9. This facility may receive, temporarily store or hold, and transfer, but not dispose of onsite, up to a weekly average of 1,000 cubic yards per day (or 900 tons per day), of construction and demolition debris within the approved tipping floor/area.
10. The facility shall implement a water quality monitoring plan that meets the requirements of rule 62-701.710 Florida Administrative Code, subject to EPD approval.

Community Issues

11. The permitted haul routes for vehicular travel to and from the site are:
 - a. Orange Blossom Trail to West Landstreet Road to Parkers Landing
 - b. CR 527 (Orange Avenue) to West Landstreet Road to Parkers Landing
 - c. From West Landstreet Road along Parkers Landing to the facility entrance

The permittee shall be responsible for cleanup of all litter generated from the permittee's operation per Section 32-216(a)(13), Orange County Code. In addition, at least once per day, the permittee shall be responsible for cleanup of customer-generated litter from Parkers Landing, between West Landstreet Road and facility's entrance. Cleanup shall take place along publicly accessible rights-of-way and with all necessary safety precautions.

12. The following road improvements shall be designed and permitted prior to issuance of any permits for the Construction and Debris Recycling project.

Construction of these improvements shall be completed prior to issuance of a Certificate of Completion for the C&D Recycling center.

- a. The applicant shall provide a right turn lane for eastbound traffic at the intersection of West Landstreet Rd and Parkers Landing. The right turn lane shall provide 290 feet of deceleration plus storage length, shall include the conveyance of any right-of-way that may be required to accommodate a 12 foot wide turn lane at the location mentioned above, and shall follow Florida Department of Transportation (FDOT) standards for design and construction.
 - b. The applicant shall provide a dedicated northbound left/through lane on Parkers Landing. An additional 12 feet of pavement along the eastern property boundary that shall extend 150 feet south of West Landstreet Rd shall be provided for this northbound left/through lane by the applicant, shall include the conveyance of any right-of-way that may be required to accommodate 12 foot wide turn lanes at the locations mentioned above, and shall follow Florida Department of Transportation (FDOT) standards for design and construction. This shall allow for a new lane configuration on Parkers Landing that shall include a southbound lane, a northbound left/through lane and a dedicated right turn lane.
13. The pile height for C&D debris (not including concrete) shall not exceed 20 ft.
 14. A tracking control device, designed to minimize the tracking of materials onto the adjacent right-of-way of Parkers Landing, and subject to Public Works approval, shall be installed prior to commencing operations.
 15. The applicant shall suppress dust along the interior driveway between the entrance and C&D debris tipping area through the use of paving, a stationary water spray system, and/or other method(s) subject to EPD approval.
 16. Recovered materials (not including concrete) shall be stored in containers and shipped out within 6 months.
 17. Any future ancillary operations are subject to review by EPD.

Reporting and Record Keeping

18. The following items shall be maintained and available for review at the facility:

- a. A copy of the complete permit including plans, reports, and other supporting documents

The following items shall be maintained and available for review at the facility for a period of at least 3 years:

- b. Receipt logs for unauthorized waste maintained in a logbook.

- c. Manifests for any hazardous waste, universal waste, or regulated nonhazardous waste shipped offsite.
 - d. Credentials for operators and spotters.
 - e. A record of stormwater management system inspections and any repairs.
19. The following items shall be submitted to EPD on an annual basis:
- a. A report of solid waste type and quantity managed at the facility, including the amount and destination of treated, recycled, or recovered materials leaving the site for reuse, use as raw material, or disposal.
 - b. Cost estimates and proof of financial assurance shall be updated and submitted to EPD for review whenever relevant operations change, or annually at a minimum. This cost estimate should be accompanied by an estimate of the volume of waste and recovered/recycled materials currently stored onsite.
20. Orange County shall be copied on all related correspondence with the Florida Department of Environmental Protection.

Fires, Emergency Preparedness, and Continuity of Operations

21. The operator shall follow the Fire Fighting Agreement and shall inform the EPD immediately of any fires that persist longer than 1 hour. The Fire Fighting Agreement shall be finalized prior to permit issuance.

Waivers

22. A waiver has been approved from the landscaping requirements of County Code Sec. 32-216(b)(3) to allow keeping natural existing vegetation, where maintained along perimeter, instead; subject to DRC conditions #14 & #15 for DP-18-04-120.
23. A waiver has been approved from the setback requirements of County Code Sec. 32-216(a)(11)a. to allow a 110 ft. setback in lieu of a 150 ft. setback from the right-of-way located south of parcel 02-24-29-8220-00-070.
24. A waiver has been approved from the dry retention stormwater treatment requirements of 32-216(b)(6) to allow the use of a primarily wet pond system designed to meet the requirements in County Code Chapter 30 Article VIII (Orange County Site Development Ordinance). Stormwater management system design and modifications subject to approval by Orange County Public Works Department.

Development Review Committee (DRC)

25. The facility shall be subject to the DRC recommended conditions of approval for DP-18-04-120 and any future amendments.

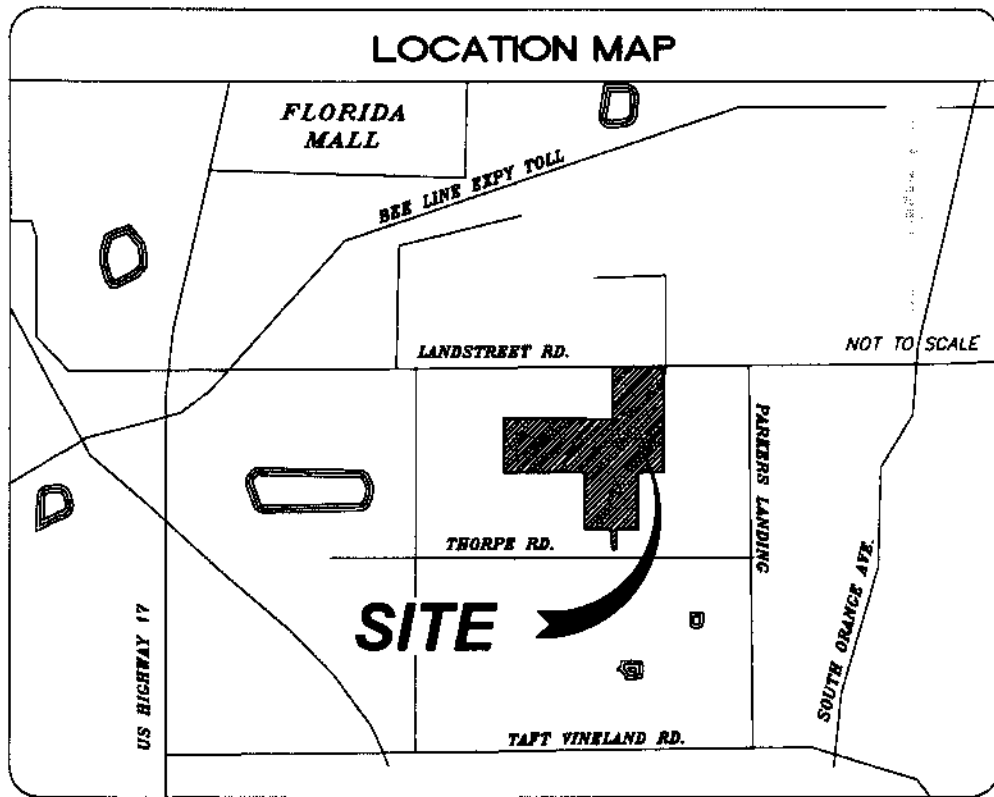
Board of Zoning Adjustment

26. The facility shall be subject to the conditions of approval for Special Exception SE-19-07-068 and any future amendments.

ACTION REQUESTED: Approval for five years of Solid Waste Management Facility – Materials Recovery Facility and Transfer Station – Permit Application (SW-19-06-001), submitted by Angelo's Aggregate Materials Ltd., for the facility known as Angelo's Recycling, subject to the three waivers and conditions listed in the staff report. District 4

DDJ/JVW: mg

Attachments



SECTION 02, TOWNSHIP 24 SOUTH, RANGE 29 EAST

Advantage

ADVANTAGE ENGINEERING INC.
 100 EAST PALM BLVD.
 SUITE 100
 WEST PALM BEACH, FL 33411
 (561) 832-1100



STATE OF FLORIDA
 PROFESSIONAL ENGINEER
 LICENSE NO. 12502
 EXPIRES 12/15/2010

ANGELO'S RECYCLING
 MATERIAL STORAGE
 500 WEST LAND STREET
 ORANGE COUNTY,
 FLORIDA

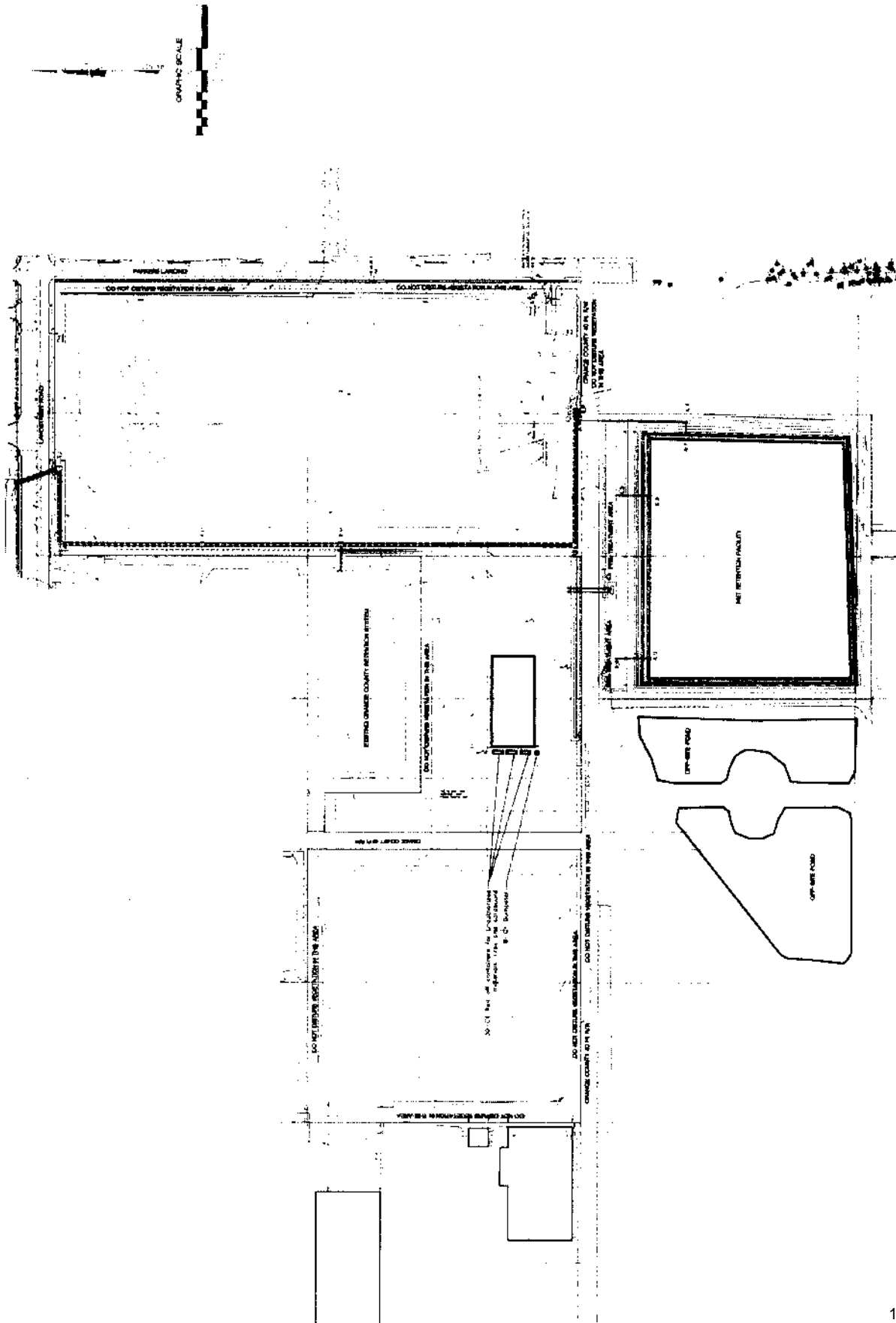
DATE: 12/15/10

PROJECT NO.: 10102
 CLIENT: ANGELO'S RECYCLING
 DRAWN BY: JLM
 CHECKED BY: JLM
 SCALE: AS SHOWN
 SHEET NO.: 10102-1

KEY PLAN

DATE: 12/15/10

SCALE: AS SHOWN



**APPLICATION FORM FOR A
SOLID WASTE MANAGEMENT FACILITY PERMIT
WASTE PROCESSING FACILITY
TRANSFER STATION • MATERIALS RECOVERY FACILITY**

Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803-3727
407.836.1400 • Fax 407.836.1499
www.ocfl.net



NOTE: THIS FORM DOES NOT SUPERSEDE THE REQUIREMENTS OF ORANGE COUNTY CODE.

A. GENERAL INFORMATION

1. Type of facility (check all that apply):

Transfer Station:

C&D Debris Class III Class I

Other Describe: _____

Materials Recovery Facility:

C&D Recycling Class III MRF Class I MRF

Other Describe: _____

Other Facility That Processes But Does Not Dispose Of Solid Waste On-Site:

Storage, Processing or Disposal for Combustion Facilities (not addressed in another permit)

Other Describe: _____

2. Type of application:

Construction / Operation

Operation without additional construction Closure

3. Classification of application:

New Minor Modification

Renewal Major Modification (substantial deviation)

4. Facility name: Angelo's Recycling

5. Facility ID: TBD

EPD Permit #: TBD Expiration Date: _____

FDEP Permit #: TBD Expiration Date: _____

6. Facility location (main entrance):

Address: 500 West Landstreet Road, Orlando, Florida 32824

Municipality: N/A Orange County Commission District #: 4

7. Location coordinates:

Parcel IDs: 02-24-29-8220-00-070; 02-24-29-8220-00-290; 02-24-29-7268-00-071
 Latitude: 28 25 58.18 Longitude: 81 23 02.81
 Datum: _____ Coordinate Method: _____
 Collected by: _____ Company/Affiliation: Obtained from Google Earth Pro

8. Applicant name (operating authority): Angelo's Aggregate Materials Ltd.

Mailing Address: 885 28th Street South, St. Petersburg, FL 33712
 Contact person: John Arnold Phone: 727-581-1544
 Title: Project Manager E-mail: john.phillip.amoid@gmail.com

9. Authorized agent / Consultant: Cornerstone Environmental Group, LLC, A Tetra Tech Company

Mailing Address: 201 E. Pine Street, Suite 1000, Orlando, FL 32801
 Contact person: Jennifer L Deal, PE Phone: 407-719-0608
 Title: Project Manager E-mail: jennifer.deal@tetrattech.com

10. Landowner (if different than applicant): lafrate Rockwood, LLC

Mailing Address: 885 28th Street South, St. Petersburg, FL 33712
 Contact person: John Arnold Phone: 727-581-1544
Project Manager E-mail: john.phillip.arnold@gmail.com

11. Cities, towns, and areas to be served (source of waste):

Orange County and surrounding areas

Private use Public use

12. Estimated costs:

Total Construction: \$ 500,000 Closing Costs: \$ 60,634.07

13. Expected quantity (volume or weight) of waste to be received:

1,000 yd³/day -or- 900 tons/day

14. Provide a brief description of the operations planned for this facility:

C&D waste will be received at the facility for transfer and recycling. Materials such as wood, metal, cardboard, and plastic will be separated for recycling and resale. No on-site disposal is proposed. Non-recyclable material will be transferred to a permitted disposal facility.

15. Operational and storage areas:

Total parcel size: 44.71 acres

Existing outdoor area: 44.71 acres

Existing building: N/A sq ft

Proposed outdoor area: < 1 acres

Proposed building: ~432 sq ft

Transfer and recycling area

16. Haul route (from/to nearest arterial roads or collector highways):

Street segments: Orange Blossom Trail to West Landstreet Road to Parkers Landing

527 to West Landstreet Road to Parkers Landing

Residential roads: yes / no

Paved access: yes / no

17. Hours of Operation:

Mon - Fri: 7:00 AM - 7:00 PM

Sun: _____ - _____

Sat: 7:00 AM - 7:00 PM

Other: _____

B. ADDITIONAL INFORMATION

Please attach the following reports or documentation as required. References are to Orange County Code (O.C.C.) and Florida Administrative Code (F.A.C.) unless noted otherwise. (Application format see O.C.C. 32-214(d) and Rule 62-701.320(7) F.A.C.)

1. Provide a description of the operation of the facility that shall include (Rule 62-701.710(2)(a), F.A.C.):
 - (a) The types of materials, i.e., wastes, recyclable materials or recovered materials, to be managed or processed;
 - (b) The expected daily average and maximum weights or volumes of materials to be managed or processed;
 - (c) How the materials will be managed or processed;
 - (d) How the materials will flow through the facility including locations of the loading, unloading, sorting, processing and storage areas;
 - (e) The types of equipment that will be used;
 - (f) The maximum time materials will be stored at the facility;
 - (g) The maximum amounts of wastes, recyclable materials, and recovered materials that will be stored at the facility at any one time; and
 - (h) The expected disposition of materials after leaving the facility.
 - (i) *Provide a plan documenting maximum capacity and site plan showing location and maximum dimensions of temporary storage piles. [O.C.C. 32-215(f)(3)]*
2. Attach a site plan, signed and sealed by a professional engineer registered under Chapter 471, F.S., with a scale not greater than 200 feet to the inch, which shows the facility location, total acreage of the site, and any other relevant features such as water bodies or wetlands on or within 200 feet of the site, potable water wells on or within 500 feet of the site (Rule 62-701.710(2)(b), F.A.C.).
 - a) *Provide a plan showing the zoning of site and adjacent properties; [O.C.C. 32-215(a)(5)g.]*
 - b) *Provide a Landscape Buffer Plan that meets the requirements of O.C.C. 32-216(b)(3). [O.C.C. 32-215(a)(5)h.]*
 - c) *Delineate any environmentally sensitive areas such as any conservation areas, the Wekiva Study Area, and areas protected by the Wevika River Protection Area Ordinance or the Econolockhatchee River Protection Ordinance. [O.C.C. 32-215(a)(5)i., 32-216(c)]*
3. Provide a boundary survey and legal description of the property (Rule 62-701.710(2)(c), F.A.C.).
4. Provide a construction plan, including engineering calculations, that describes how the applicant will comply with the design requirements of subsection 62-701.710(3), F.A.C. (Rule 62-701.710(2)(d), F.A.C.).
 - a) *Provide a Litter Control Plan for the facility. [O.C.C. 32-215(a)(15)]*
5. Provide an operation plan that describes how the applicant will comply with subsections 62-701.710(4), F.A.C. and the recordkeeping requirements of subsection 62-701.710(8), F.A.C. (Rule 62-701.710(2)(e), F.A.C.).
 - a) *Access to the site shall be controlled via installation of a security chain link fence. [O.C.C. 32-216 (a)(13)]*
 - b) *Provide a Fire Fighting Agreement that has been approved by the local Fire Rescue service provider. [O.C.C. 32-215(a)(21)]*

6. Provide a closure plan that describes how the applicant will comply with subsections 62-701.710(6), F.A.C. (Rule 62-701.710(2)(f), F.A.C.).
7. Provide a contingency plan that describes how the applicant will comply with subsection 62-701.320(16), F.A.C. (Rule 62-701.710(2)(g), F.A.C.).
8. Unless exempted by subparagraph 62-701.710(1)(d)1., F.A.C., provide the financial assurance documentation required by subsection 62-701.710(7), F.A.C. (Rule 62-701.710(2)(h), F.A.C.).

Note: O.C.C. 32-216 (a)(27) requires financial assurance regardless of first-in first-out waste management. In the cost estimate include funds for up to 180 days of miscellaneous site maintenance (e.g. landscape and site access control).

9. Provide a history and description of any enforcement actions by the applicant described in subsection 62-701.320(3), F.A.C. relating to solid waste management facilities in Florida. (62-701.710(2) F.A.C. and 62-701.320(7)(i), F.A.C.).
10. Provide documentation that the applicant either owns the property or has legal authorization from the property owner to use the site for a waste processing facility (62-701.710(2), F.A.C. and 62-701.320(7)(g), F.A.C.)

Note: O.C.C. 32-215(a)(4) requires, "Proof of ownership of property. At minimum, applicants shall provide an opinion of title based upon a title search."

11. *Provide a description of any ancillary operations. [O.C.C. 32- 215(a)(5)e., 32-216(a)(15)]*
12. *Provide documentation of the stormwater management system design and that the requirements of O.C.C. 32-216(b)(6) will be met.*

a) For existing facilities, provide documentation that at least once every five (5) years maintenance activities shall including the removal of accumulated sediments from ponds, catch basins, and other control structures, and the restoration of control structures to design specifications, has been performed.

13. *For facilities proposing outdoor storage and/or processing:*

a) The facility accepts only construction and demolition debris and all areas where waste is stored are covered by a ground water monitoring system which meets the requirements of subsection 62-701.730(8), F.A.C. [F.A.C. 62-701.710(1)(d)2.]; or

b) The facility accepts only Class III wastes, the areas where waste is received is under roof and on an impervious surface, and all areas where waste is stored or processed are covered by a ground water monitoring system which meets the requirements of subsection 62-701.730(8), F.A.C. [F.A.C. 62-701.710(1)(d)3.]

14. *Provide the proposed fee schedule. [O.C.C. 32- 215(a)(9)]*
15. *Provide a proposal for any additional controls, if applicable within the Wekiva Study Area. [O.C.C. 32-215(f)(4)]*
16. *Provide a description of any Waiver Requests and responses to the criteria used to evaluate such waivers. Identify the Code requirement for which the waiver is sought. [O.C.C. 32- 214(k)]*
17. *Demonstration of Need [O.C.C. 32-215(a)(18)] is not a required submittal, but need for the service may be a factor considered by the Board. [O.C.C. 32-214(j)(3)]*

C. SUBMITTAL LOCATION INDEX IN APPLICATION PACKAGE

(S = Submitted; N/A = Not Applicable ; NSC = No Substantial Change)

Status	Location of submittal	Item	FAC 62-701	O.C.C. 32-	Summary
S	Section 2 Appendix C Operations Plan	B.1	.710(2)(a)	215(a)(16) 215(a)(19) 215(f)	Description of the operation of the facility
S	Section 2 Figures Section 3 Site Plans	B.2	.710(2)(b)	215(a)(5) g.,h.,* ,i., j.* 215(f)(1)	Site plan; area map; zoning; wetlands; protected areas; setbacks; landscaping buffer
S	Section 4 Boundary Survey	B.3	.710(2)(c)	215(a)(3) 215(f)(1)	Boundary survey and legal description
S	Section 2 Appendix C Operations Plan	B.4	.710(2)(d)	215(a)(5) 215(a)(11) 215(a)(15) 215(a)(19) 215(f)(1)	Tipping, processing, sorting, storage and compaction areas; Litter control; Leachate control; Waste quantification
S	Section 2 Appendix C Operations Plan Section 6 Fire Fighting Agreement	B.5	.710(2)(e)	215(a)(5);.* 215(a)(19) 215(a)(21)* 215(f)(1)	Operational requirements; Operator and spotter training; Odor control; Fire protection; Access control; Hazardous waste; Record keeping;
	Section 2 Appendix D Closure Plan	B.6	.710(2)(f)	215(a)(5)k. 215(f)(1)	Closure plan
S	Section 2 Appendix C Operations Plan	B.7	.710(2)(g)	215(f)(1)	Contingency plan
S	Section 2 Appendix D Closure Plan	B.8	.710(7)	215(a)(14)	Financial assurance
S	Section 2 Appendix F	B.9	.710(2) .320(7)(i)	214(j)(3) 215(f)(1)	Enforcement action history
S	Section 4	B.10	.320(7)(g)	215(a)(4)	Proof of ownership; Opinion of Title; Authorization
N/A		B.11		215(a)(5)e.* 215(a)(19)	Ancillary operations (if needed)
S	Section 2 Section 5	B.12		215(a)(5)f.*	Stormwater management
		B.13	.710(1)(d)2	215(a)(8)	Ground water monitoring plan (if needed)
S	Section 2 Appendix C	B.14		215(a)(9)	Fee schedule
N/A		B.15		215(f)(4)	Wekiva Study Area controls
S	Section 2	B.16	.710(9)	214(k)	Waiver Requests (if needed)
N/A	Submitted with both DRC and BZA applications			O.C.C. Sec. 2-354, 2-454;	Specific Project Expenditure Report; Relationship Disclosure Form; Agent Authorization
N/A				Florida Statute 163.3163	Acknowledgement of Contiguous Sustainable Agriculture Land

* These items are often addressed by the local municipality.

D. CERTIFICATION BY APPLICANT AND ENGINEER

1. Applicant:

The undersigned applicant or authorized representative of

Angelo's Aggregate Materials, Ltd.

is aware that statements made in this form and attached information are an application for a **Solid Waste Management Facility** Permit from the Orange County Environmental Protection Division (EPD) and certifies that the information in this application is true, correct and complete to the best of his/her knowledge and belief. Further, the undersigned agrees to comply with the provisions of Orange County Code, including any provisions of Chapter 403, Florida Statutes, and rules and regulations of the Florida Department of Environmental Protection adopted by reference. It is understood that the Permit is not transferable, and the EPD will be notified prior to the sale or legal transfer of the permitted facility.

John Arnold
Signature of Applicant or Agent

John Arnold, Project Manager
Name and Title

john.phillip.arnold@gmail.com
E-mail address

885 28th Street South
Mailing Address

St. Petersburg, FL 33712
City, State, Zip Code

727-581-1544
Telephone Number

9/25/19
Date

2. Professional Engineer Registered in Florida:

This is to certify that the engineering features of this solid waste management facility have been designed / examined by me and found to conform to engineering principals applicable to such facilities. In my professional judgment, this facility, when properly maintained and operated, will comply with provisions of Orange County Code, including any provisions of Chapter 403, Florida Statutes, and rules and regulations of the Florida Department of Environmental Protection adopted by reference. It is agreed that the undersigned will provide the applicant with a set of instructions for proper maintenance and operation of the facility.



JENNIFER L. DEAL
Signature

Jennifer L. Deal, PE
Name and Title

58592
Florida Registration Number

(please affix seal)

Cornerstone Environmental Group, LLC
A Tetra Tech Company
Engineering Business No. 29533

201 E. Pine Street, Suite 1000
Mailing Address

Orlando, FL 32801
City, State, Zip Code

jennifer.deal@tetrattech.com
E-mail address

407-719-0608
Telephone Number

Date

Waiver/Variance Request

Angelo's is requesting the following 3 waiver/variances:

- Keeping natural existing vegetation in lieu of providing new landscaping [Sec. 32-216(b)(3)].
- Reduction of the 150-foot minimum setback requirement to 95110 feet along the south property boundary. The 110-foot setback, plus existing 40-foot Orange County right-of-way, provides 150 feet to the abutting property to the south [Sec. 32-216(a)(11)a].
- Minor modifications from the Section 32-216(B)(6) stormwater management system design.

In support of these waiver requests, the following information is provided in accordance with Section 32-214 (K)(1) of the Orange County Solid Waste Ordinance.

(1) Location of the real property;

The property is located on heavy industrial zoned property and is surrounded by other heavy industrial zoned property. Natural vegetation instead of new landscaping and a lesser set-back are reasonable requests given the location.

(2) Distance of the proposed solid waste management facility from improvements on adjoining real property;

Angelo's is requesting a 11095-foot setback from the south property boundary. This setback, coupled with the existing 40-foot Orange County right-of-way, provides the full 150-feet from the C&D recycling and transfer area to the northern boundary of the property to the south. All other setbacks meeting the required 150-foot setback. The C&D recycling and transfer area is over 600 feet from the closest off-site building.

(3) Effect of the proposed waiver on adjoining property;

The proposed waivers are not expected to affect the adjoining property since the property is currently permitted for concrete crushing and has existing thick vegetation.

(4) Current physical conditions on the real property whereon the solid waste management facility is proposed to be located;

The property is currently undeveloped. No recycling operations are conducted on the property at this time. The property is currently permitted by Orange County for concrete crushing.

(5) Whether the waiver would be contrary to the public health, safety, and welfare and/or adopted plans, policies or ordinances of the county;

Granting of the waiver would not be contrary to the public health, safety, and welfare of the county. Granting of the waiver will allow Angelo's to operate their recycling facility, which is in the best interest of the county and its citizens, with no impact on surrounding properties due to the requested waivers

(6) Any special conditions applicable to the real property whereon the solid waste management facility is proposed to be located;

The property is currently permitted by Orange County for concrete crushing and has existing thick vegetation as a buffer from surrounding properties

(7) Whether the waiver would nullify the intent and the purpose of this article.

Granting of the waiver would not nullify the intent and purpose of this article. Granting the waiver would allow Angelo's to operate their recycling facility, which is in the best interest of the county and its citizens and is in agreement with the county comprehensive policy plan.

**APPROVED MEETING MINUTES
JANUARY 22, 2020**

6. The developer shall obtain water service from Orange County.

MOTION CARRIED.

**19. DP-18-04-120 – DISTRICT 4
ANGELO'S RECYCLED MATERIALS C & D RECYCLING & TRANSFER FACILITY
SPECIAL EXCEPTION SITE PLAN**

Present for discussion was Jonathan Huels.

MOTION by Eric Raasch (stepped out of Chair), seconded by Alberto Vargas, TO AMEND THE PREVIOUS DRC ACTION OF APRIL 24, 2019, TO MODIFY CONDITION OF APPROVAL #16, as shown below:

1. Development shall conform to the Angelo's Recycling Material Storage Special Exception Site Plan dated "March 21, 2019," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this site plan and the site plan dated "Received March 21, 2019," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal

**APPROVED MEETING MINUTES
JANUARY 22, 2020**

- law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this special exception site plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
 5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
 6. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
 7. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.

**APPROVED MEETING MINUTES
JANUARY 22, 2020**

8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
9. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
10. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
11. The developer shall obtain wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
12. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing wastewater systems have been designed to support all development within the DP.
13. A solid waste management facility permit will be required in accordance with Orange County Code Chapter 32, Article V, Section 32-214(a)(3).
14. If at any time a permanent building is requested, then such building shall comply with the building perimeter landscaping requirements of Orange County Code Chapter 24 Landscaping, Buffering and Open Space, assuming such building is approved through an amendment to this Special Exception Site Plan.
15. If at any time natural vegetation is insufficient to provide a visual buffer from adjacent properties, the landscaping shall be supplemented with additional shade trees in compliance with Orange County Code Chapter 24 Landscaping, Buffering and Open Space and Chapter 32.
16. Prior to or concurrently with issuance of any building permit for the solid waste facility Special Exception approval, the existing drainage easement shall be modified and existing improvements relocated, both to County's satisfaction .

MOTION CARRIED.