



Interoffice Memorandum

July 27, 2018

TO: Mayor Teresa Jacobs
and Board of County Commissioners

FROM: Mark V. Massaro, P. E., Director, Public Works Department

CONTACT PERSON: Diana M. Almodovar, P. E., Manager, Development Engineering Division

PHONE NUMBER: (407) 836-7974

SUBJ: Bishop & Buttrey Borrow Pit # 164
Excavation Permit #07-E5-717 (Fifth Renewal)

Mr. Vic McCall of Bishop & Buttrey, Inc. has applied for the renewal of Excavation Permit #07-E5-717.

This permit would allow for the export of approximately 100,000 cubic yards of clean fill material to various approved Orange County project sites and the import and storage of 7,700 cubic yards of stripping material to be used for the restoration of the borrow pit as required by the Orange County Code, Chapter 16, Section 16-8(a)(3).

Mr. McCall is also requesting a waiver of Orange County Code Section 16-8(b)(1)d., which requires that the setback area from abutting agricultural zoned properties remain undisturbed. Mr. McCall is requesting permission to construct a five-foot high stabilized berm within the 25-foot setback to better secure the site and deter vehicles from trespassing into the site.

The agriculturally zoned property is located northeast of the intersection of SR 50 and Old Cheney Highway. The Parcel ID number is 23-22-32-0000-00-004.

Staff recommends approval subject to General Law with the following additional requirements:

1. The approved haul route will be from the entrance to the excavation site south to Colonial Drive (SR 50), Colonial Drive east or west to approved construction sites.
2. Notify Development Engineering Inspection at (407) 836-7920 forty-eight (48) hours prior to commencement of operations
3. Operating and hauling from 7:00 a.m. to 7:00 p.m., Monday through Saturday. All Excavation and Fill activities shall be in accordance with approved plans and the Orange County Excavation and Fill Ordinance (Chapter 16, Orange County Code).
4. A waiver from Section 16-8(b)(1)(d) of the Excavation/Fill Ordinance to allow a 25-foot setback from the eastern property line in lieu of the required 50-foot setback was approved by the Board of County Commissioners on July 29, 2008.

Additional Requirements:

5. Approval of this permit does not constitute either a land-use classification change to Orange County's Comprehensive Policy Plan or a rezoning of any type. Furthermore, solid waste disposal, solid waste management, and the disposal of materials from the construction or demolition of a road or other transportation facility as contemplated by Section 163.3194 of Florida Statutes, is not in any way a purpose of this permit.
6. 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, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Action Requested: Approval of Bishop & Buttrey Borrow Pit #164 Permit Renewal and Orange County Code Section 16-8(b)(1)d Waiver Request and authorization to issue Excavation Permit #07-E5-717. District 5.

MVM/DMA/mt

Attachments

OCPA Web Map

	Major Roads		State Road		One Way		Block Line		County Boundary		Point of Interest
	Florida Turnpike		Road Under Construction		County Road		Brick Road		Lot Line		Parks
	Toll Road		Proposed Road		Toll Ramp		Rail Road		OIA		Golf Course
	US Road		Interstate Ramp		Proposed SunRail		OEA		Lakes and Rivers		Public School
									Fire Station		Urgent Care Center



Created: 7/3/2018

This map is for reference only and is not a survey.