

ATTACHMENT A – REZONING AMENDMENT APPLICATION

Application Date: 10/12/2022

Applicant/Agent: Jeffrey Hardin

Applicant Email Address: jhardin@harcoconstructionga.com

Phone # 912-657-1899

Applicant Mailing Address: 1410 US Hwy. 80

City: Bloomington State: Ga. Zip Code: 31302

Property Owner, if different from above: Harrison Clark Ale Jr.
Include Signed & Notarized Authorization of Property Owner

Owner's Email Address (if known): alec612@yahoo.com

Phone # 850-509-0528

Owner's Mailing Address: 972 Marys Drive

City: Tallahassee State: Florida Zip Code: 32308

Property Location: Low Ground Rd. between Blue Jay Rd. and Midland Rd.

Proposed Road Access: Low Ground Road

Present Zoning of Property: AR-1 Proposed Zoning: I-1

Tax Map-Parcel # 03730038 Total Acres: ~~106.35~~ 117/- Acres to be Rezoned: ~~106.35~~ 117/-

Lot Characteristics: Planted pines

WATER

N/A Private Well

N/A Public Water System

SEWER

N/A Private Septic System

N/A Public Sewer System

If public, name of supplier: _____

Justification for Rezoning Amendment: Surface mine use

List the zoning of the other property in the vicinity of the property you wish to rezone:

North AR-1 South AR-1 East AR-1 West AR-1

1. Describe the current use of the property you wish to rezone.

Planted pines

2. Does the property you wish to rezone have a reasonable economic use as it is currently zoned?

Pine trees

3. Describe the use that you propose to make of the land after rezoning.

Surface mine for personal use of fill material

4. Describe the uses of the other property in the vicinity of the property you wish to rezone?

Agriculture and residential

5. Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?

It will be a large lake when completed

6. Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

We currently have a surface mine in this location. This is to add additional phases. There will be

no added use than what is current.

Applicant Signature:



Date

10/12/2022

AUTHORIZATION OF PROPERTY OWNER

I, Harrison Clark Ale, Jr. Trustee, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Rezoning Amendment Approval. I acknowledge and accept that I will be bound by the decision of the Board of Commissioners, including any conditions, if the application is approved.

Name of Applicant/Agent: Jeffrey Hardin

Applicant/Agent Address: 1410 US Hwy. 80

City: Bloomington State: Ga Zip Code: 31302

Phone: 912-657-1899 Email: jhardin@harcoconstructionga.com

Owner's signature Harrison Clark Ale, Jr. Trustee

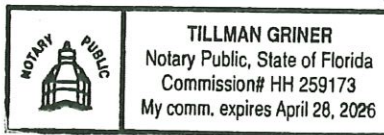
Print Name Harrison Clark Ale, Jr. Trustee

* Personally appeared before me Harrison Clark Ale Jr (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Sworn and subscribed before me this 23 day of September, 20 22

[Signature]
Notary Public, State of Georgia Florida
County of Leon



ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date September 25, 2013, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 02214 page 0461.

I hereby certify that I am the owner of the property being proposed for Rezoning Amendment Approval, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature Harrison Clark Ale Jr. Trustee

Print Name Harrison Clark Ale Jr. Trustee

Owner's signature _____

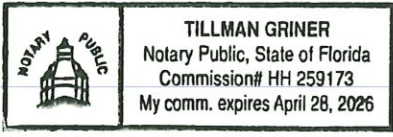
Print Name _____

Owner's signature _____

Print Name _____

* Sworn and subscribed before me this 23 day of September, 20 22.

[Signature]
Notary Public, State of ~~Georgia~~ Florida
County of Leon





GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

June 21, 2019

CERTIFIED MAIL

7017 0660 0000 3822 1199

Jeffrey Hardin
Vice President
HARCO Construction, Inc.
1130 Highway 119 South
Springfield, Georgia 31329

SUBJECT: Amendment 1 Approved – Request for Bond
Operator: HARCO Construction, Inc.
Mine Name: Ale Pit
Permit Number: 1915-16
County: Effingham

Dear Mr. Hardin:

The Amendment 1 to the Amendment to Mining Land Use Plan has been reviewed and approved on June 21, 2019. This amendment increases the permitted acreage from 30 to 57 acres. The total bond due is \$85,500.00 which is 57 acres to be bonded at \$1,500.00 per acre.

The Georgia Surface Mining Rules 391-3-3-.03(1) states that upon approval of the Mining Land Use Plan, the Operator must file a bond with the Director within sixty (60) days from the date of being furnished approved surety bond forms by the Division. The approved surety bond forms and approved letter of credit form may be found on the website, <https://epd.georgia.gov/surface-mining-forms> under the heading of "Financial Assurance."

The Operator has the option of posting bond, government securities, cash, or any combination thereof, or an Irrevocable Standby Letter of Credit for acreage permitted. Any bond filed with the Director shall be written by surety, approved by the Director, and authorized to transact business within the State of Georgia. If a cash bond is to be posted, it should be in the form of a cashier's check or money order payable to the Georgia Department of Natural Resources. The original copy of your surety bond form will be filed with the Division.

We will continue to process the Amendment to Mining Land Use Plan once the Division has received acceptable bonding. If you have any questions, please contact Michael Coughlan at 404.362.2599 or via email at Mike.Coughlan@dnr.ga.gov.

Sincerely,

Jamie Lancaster
Unit Manager
Surface Mining Unit

SM File

S:\Land\LANDDOCS\SurfaceMining\MCoughlan\1915.Amendment 1 Approval Bond Request

Richard E. Dunn, Director

Land Protection Branch

4244 International Parkway
Suite 104
Atlanta, Georgia 30354
404-362-2537

Georgia Department of Natural Resources

Environmental Protection Division • Surface Mining Unit
4244 International Parkway • Suite 104 • Atlanta • Georgia 30354

(404) 362-2692; Fax (404) 362-2693

Judson H. Turner, Director

MAY 20 2016

Mr. Jeffery Hardin
Operator
Harco Construction
1130 Highway 119 South
Springfield, Georgia 31329

SUBJECT: **Issuance of Permit:**
Effingham County: Harco Construction
Ale Pit
Surface Mining File Number 1915-16

Dear Mr. Hardin:

Your application for a Surface Mining Permit, including the supporting data and bonding, where necessary, has been reviewed and approved. Your Surface Mining Permit No. 1915-16 is enclosed and includes conditions and limitations for your mining operation.

Compliance with the provisions of Georgia's Surface Mining Act of 1968, as amended, is expected of the Permittee. Also, the issuance of this Permit does not relieve the Permittee of any obligation or responsibility for complying with the provisions of any other laws or regulations of any Federal, local, or additional State authority.

This permit is now in effect; however, under Georgia Law it is subject to appeal for thirty (30) days following issuance and is subject to modification or possible vacation if appealed. Should an appeal be received within the thirty (30) day appeal period, you will be immediately notified and further construction or operation under this permit may not be undertaken until such time as the appeals process is concluded.

If you have any questions regarding this Permit or upon commencement of activities, please contact Michael Coughlan at 404.362.2599.

Sincerely,



William Cook
Program Manager
Solid Waste Management Program

Enclosures
cc: SM File



State of Georgia
Department of Natural Resources
ENVIRONMENTAL PROTECTION DIVISION



SURFACE MINING PERMIT

Permit Number: **1915-16**

Date Issued: **MAY 20 2016**

Permittee: **Harco Construction**
1130 Highway 119 South
Springfield, Georgia 31329

Operation: **Ale Pit**

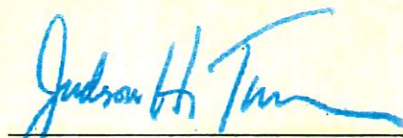
County: **Effingham**

Permitted Acres: **30**

In accordance with the provisions of the Georgia Surface Mining Act of 1968, O.C.G.A. §12-4-70, et seq., and the Rules of the Georgia Department of Natural Resources, Chapter 391-3-3, Surface Mining, both as amended, this Permit is issued for the surface mining operation as recorded hereon and presented in the Application received on **February 18, 2016** and the Mining Land Use Plan approved on **April 6, 2016**.

This Permit is conditioned upon the Operators continued compliance with the provisions of the Georgia Surface Mining Act of 1968, O.C.G.A. §12-4-70, et seq., and the Rules of the Georgia Department of Natural Resources, Chapter 391-3-3, Surface Mining, both as amended; the provisions of the Approved Surface Mining Land Use Plan and Approved Amendments, if any; and any special conditions which may be attached to this Permit.

This Permit shall be rendered null and void should the mining activity not commence within twelve (12) months from the date this Permit becomes final, or should cessation of mining occur for a period of eighteen (18) months without the Operator obtaining an inactive status classification through an Approved Amendment of the Surface Mining Land Use Plan.



Judson H. Turner, Director
Environmental Protection Division

ATTACHMENT
SPECIAL CONDITIONS

Surface Mining Permit Number: **1915-16**

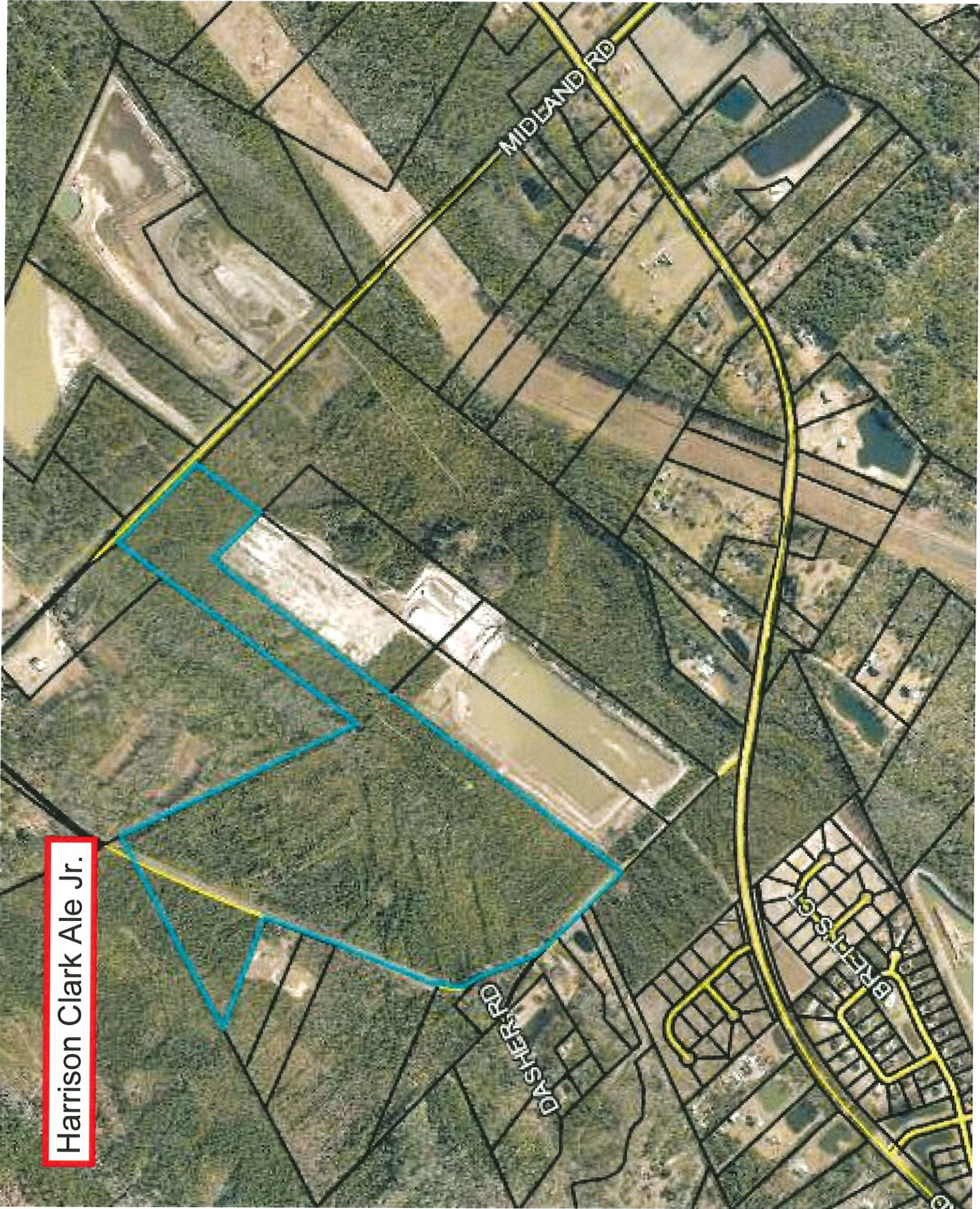
Permittee: **Harco Construction**
1130 Highway 119 South
Springfield, Georgia 31329

Operation: **Ale Pit**

Special Permitting Conditions:

1. Maintain adequate erosion and sedimentation controls in accordance with the Manual for Erosion and Sediment Control in Georgia, latest edition.
2. Maintain an undisturbed buffer between the mining area and permit limits in accordance with the approved surface mining land use plan.

Harrison Clark Ale Jr.



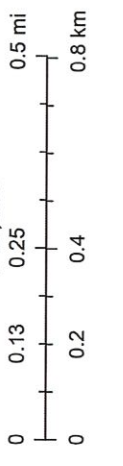
373-38 & 39



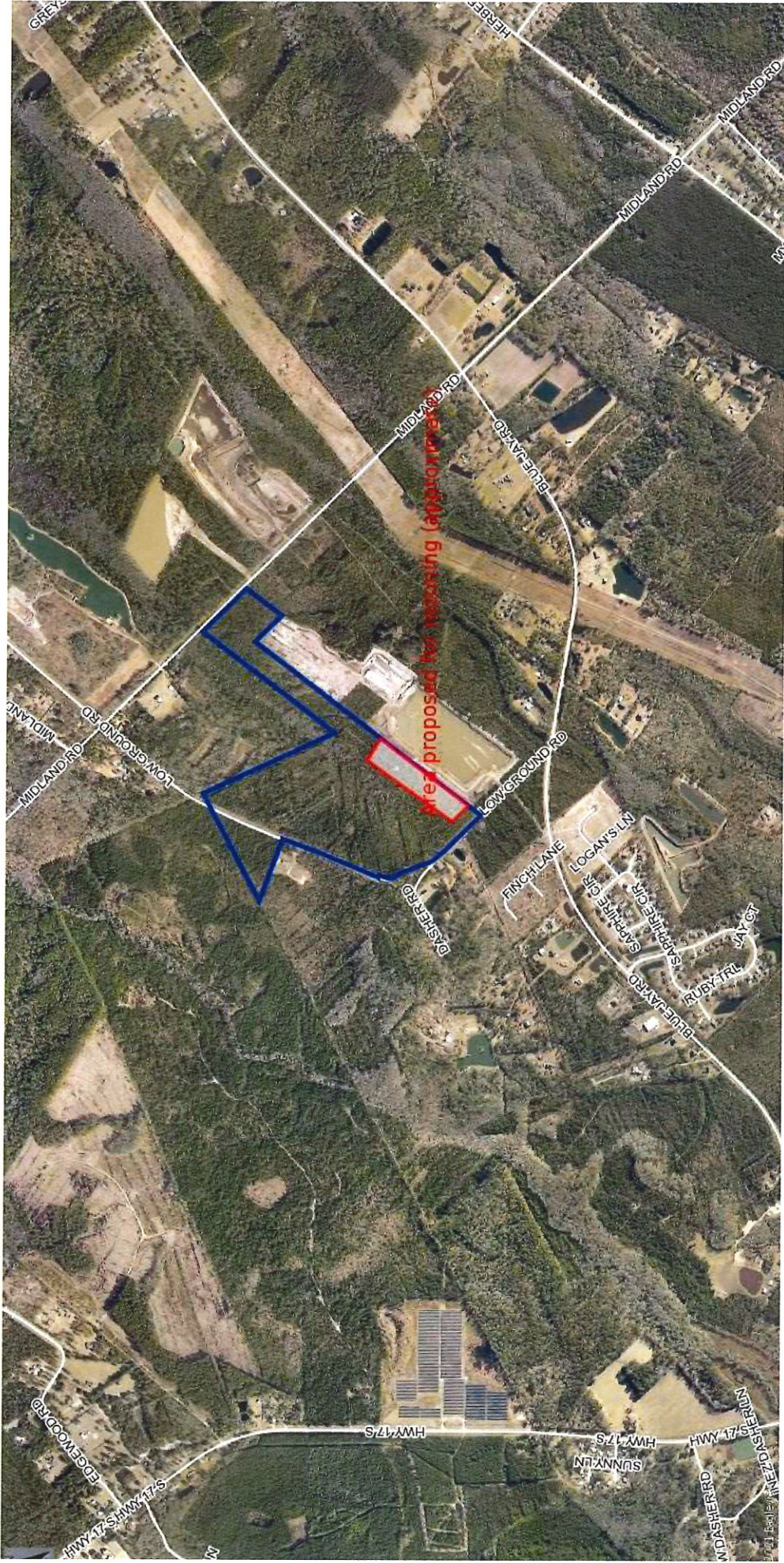
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- Parcels2020
- Roads
- Agriculture
- Conservation/Recreation
- Residential
- Transportation/Utilities
- Undeveloped

1:18,056

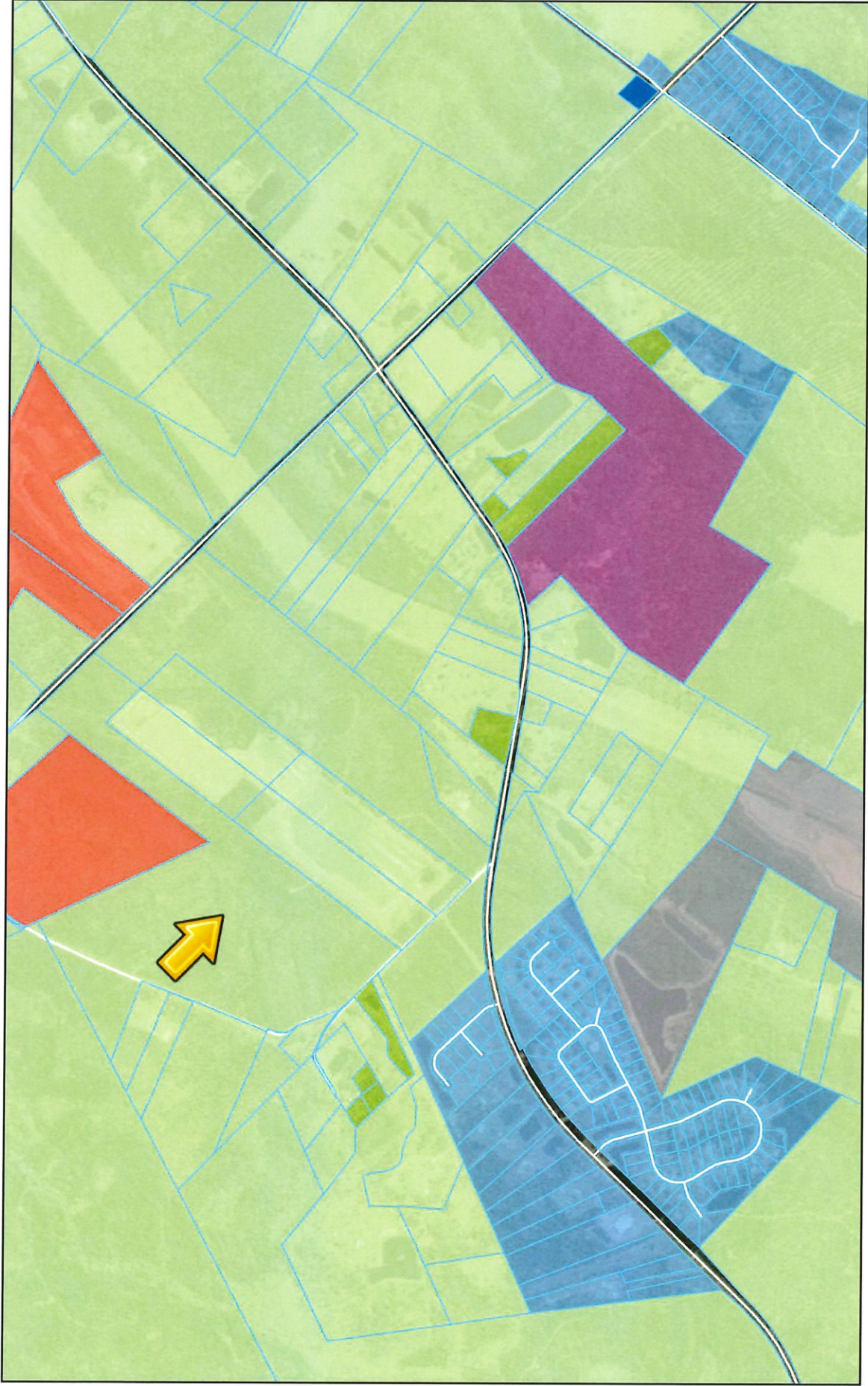


373-38



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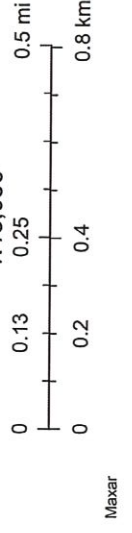
373-38



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- Parcels2020
- Roads
- AR-1
- AR-2
- R-1
- B-2
- I-1
- PD
- Other

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EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL *PEH* DISAPPROVAL

Of the rezoning request by applicant **Jeffrey Hardin as Agent for Harrison Clark Ale Jr. – (Map # 373 Parcel# 38)** from AR-1 to I-1 zoning.

Yes No ? 1. Is this proposal inconsistent with the county’s master plan?

Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

PEH

EFFINGHAM COUNTY REZONING CHECKLIST

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APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Jeffrey Hardin as Agent for Harrison Clark Ale Jr. – (Map # 373 Parcel# 38)** from AR-1 to I-1 zoning.

DB

- Yes No? 1. Is this proposal inconsistent with the county’s master plan?
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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL _____

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- Yes No? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No? 8. Do other conditions affect the property so as to support a decision against the proposal?

Only one showed up.

EFFINGHAM COUNTY REZONING CHECKLIST

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AZ

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓

DISAPPROVAL _____

Of the rezoning request by applicant **Jeffrey Hardin as Agent for Harrison Clark Ale Jr. – (Map # 373 Parcel# 38)** from AR-1 to I-1 zoning.

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Yes No? ✓ 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

1 with questions

Yes No? ✓ 7. Are nearby residents opposed to the proposed zoning change?

Yes No? ✓ 8. Do other conditions affect the property so as to support a decision against the proposal?

EFFINGHAM COUNTY REZONING CHECKLIST

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X DISAPPROVAL _____

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BKS.

11/21/22

Concerns on Road conditions. !!!