

**STATE OF GEORGIA
EFFINGHAM COUNTY**

AN AMENDMENT TO THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
394-29 & 30

AN ORDINANCE TO AMEND THE EFFINGHAM COUNTY ZONING ORDINANCE, MAP AND PARCEL NO.
394-29 & 30

AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Effingham County Board of Commissioners in regular meeting assembled and pursuant to lawful authority thereof:

WHEREAS THE MCGRALEY CO. AS AGENT FOR RICHARD HALL has filed an application to rezone twenty-seven and seventeen hundredth (27.17) +/- acres; from AR-1 to I-1 to allow for surface mine; map and parcel number 394-29 & 30, located in the 4th commissioner district, and

WHEREAS, a public hearing was held on November 15, 2022 and notice of said hearing having been published in the Effingham County Herald on October 5, 2022; and

WHEREAS, a public hearing was held before the Effingham County Planning Board, notice of said hearing having been published in the Effingham County Herald on September 28, 2022; and

IT IS HEREBY ORDAINED THAT twenty-seven and seventeen hundredth (27.17) +/- acres; map and parcel number 394-29 & 30, located in the 4th commissioner district is rezoned from AR-1 to I-1, with the following conditions:

1. This rezoning allows a surface mine only. No other I-1 uses are allowed.
2. A wetlands delineation and the state mining permit shall be submitted to Development Services.
3. Applicant shall meet with the county engineer to set the scope of the Traffic Impact Assessment.
4. Applicant shall obtain a Timber Permit prior to removal of any trees outside the buffer area.
5. The surface mine site shall meet the requirements of *Section 3.17- Excavation, mining, ponds, and fills of land and/or state federal jurisdictional waters or wetlands, Section 3.17.5 Surface Mine Operations – Road Maintenance Requirements, and Sec. 74-8 Designated Truck Routes.*
6. The applicant shall notify Development Services at the time of final reclamation of the surface mine and close-out of this mining operation. Upon the determination of the Department of Natural Resources that the affected lands have been reclaimed in an acceptable manner, the applicant shall rezone the property to AR-1.
7. No digging or hauling activities shall take place except between the hours of 8:00a.m. and 5:00 p.m. Monday through Friday.
8. The applicant shall construct a 10' high earthen berm around the perimeter of mining operations.
9. If notification of satisfactory final reclamation and close-out is not provided to Development Services after 10 years, I-1 zoning must be re-approved by the Board of Commissioners.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

This _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
WESLEY CORBITT, CHAIRMAN

ATTEST:

FIRST/SECOND READING: _____

STEPHANIE JOHNSON
COUNTY CLERK