

## Staff Report

**Subject:** Conditional Use (First District)  
**Author:** Katie Dunnigan, Zoning Manager  
**Department:** Development Services  
**Meeting Date:** March 07, 2023  
**Item Description:** **Justyne Albright** requests a **conditional use** to allow for a GDOT approved borrow source or pit. Located at 353 Forest Haven Drive, zoned **AR-1**. **Map# 452A Parcel# 56**

### Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request for a **conditional use** to allow for a GDOT approved borrow source or pit, with conditions.

### Executive Summary/Background

- Section 3.17.3(3) (Excavation, mining, ponds), permits surface mines (including a GDOT approved borrow source or pit) as a conditional use in AR-1.
- Pursuant to section 5.1.2.12, a surface mines (including a GDOT-approved borrow source or pit) up to ten (10) acres in size may be permitted in AR-1, on a conditional basis:
  - *Shall not adversely affect economic values or physical appearance of the surrounding areas;*  
The proposed 6.6 acre borrow source or pit is on a 25.21-acre parcel, set back ~75' from Forest Haven Drive.
  - *Physical and environmental effects;*  
The borrow source or pit is GDOT approved. The site has been reviewed for environmental factors, and the final approval will include specific guidelines for development of the borrow source or pit.
  - *Buffer zones; and Additional space for parking, landscaping, building, loading zones, and setbacks, to protect adjacent structures or lots from adverse impact.*  
The borrow source site meets all county and state requirements. A proposed 40' wide haul road will allow the dirt to be hauled directly to the Effingham Parkway site, without the need to use county-maintained roads.
- At the February 22, 2023 Planning Board meeting, Mr. Ryan Thompson made a motion for approval, with conditions:
  1. The bond shall be submitted to DNR, if required.
  2. Excavation shall cease within three (3) years of GDOT approval.
  3. Business operator (Balfour Beatty) shall maintain an annual occupation tax certificate.
  4. Applicant shall submit a survey of the completed excavation site, and schedule a final inspection with Development Services.
  5. Borrow source site shall meet the requirements of Section 3.17.4 Construction Requirements
- The motion was seconded by Mr. Peter Higgins, and carried unanimously.

### Alternatives

**1. Approve** the request for a **conditional use** for a GDOT approved borrow source or pit, with the following conditions:

1. The bond shall be submitted to DNR, if required.
2. Excavation shall cease within three (3) years of GDOT approval.
3. Business operator (Balfour Beatty) shall maintain an annual occupation tax certificate.
4. Applicant shall submit a survey of the completed excavation site, and schedule a final inspection with Development Services.
5. Borrow source site shall meet the requirements of Section 3.17.4 Construction Requirements

**2. Deny** the request for a **conditional use** for a GDOT approved borrow source or pit.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:**

1. Conditional Use application
2. Ownership certificate/authorization

3. Aerial photograph