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LAND DEVELOPMENT DIVISION

March 21, 2018

Mosaic Fertilizer LLC
13830 Circa Crossing Drive
Lithia, Florida 33547

Re: Case File: CU 18-06/DMS #59949

Request: CU to bring Phosphate Rock from Hardee County and amend a resolution adopting a Development Order

Location: North of Hardee County and County Line Road (Hardee/Highlands), east of US 17, west of Lastinger Road and Singletary Road and Avon Park Cutoff Road, and south of US 98, southeast of the city of Fort Meade, Florida, in S-10-15, 22-27 and 34-36, T-32, R-25 and S-03, 04, 07 through 10, 14-22, 27-34, T-32, R-26

Dear Sir/Madame:

This is to officially notify you of the action taken by the Board of County Commissioners on Tuesday, February 20, 2018, regarding the above captioned request for a Conditional Use (CU) for the South Fort Meade Mine Development of Regional Impact (DRI) to bring phosphate rock via trucks from Hardee County to the Beneficiation Plant at the South Fort Meade Mine site. This request also includes amending the resolution adopting a Development Order for the South Fort Meade Mine DRI on 17,509 +/- acres.

The Board of County Commissioners voted 5/0 to approve the request subject to the following condition:

1. In addition to the uses permitted under Resolution 09-93, as amended, for the South Fort Meade Mine DRI, the property shall be approved for 268 trucks per day of phosphate material being brought to the beneficiation plant at the South Fort Meade Mine in Polk County from the South Pasture Mine in Hardee County using only the roadways of US 17, County Line Road, and Manley Road. These 268 trucks may transport material off site only using Manley Road to access US 17. [PLG]

2. The applicant shall be responsible to inspect roadway conditions for material spillage and provide for its clean-up and removal at least once a day for each day of operation for roadways within Polk County. [ENG]
3. The applicant shall provide the average number of trucks hauling materials from the South Pasture Mine to the subject facility and leaving in each DRI Annual Report and the Annual Progress Report required by Ordinance 88-19, as amended, the Phosphate Mining Ordinance. [PLG]
4. The CU is valid for the life of the South Fort Meade Mine DRI Development Order which shall not exceed September 22, 2021.

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with LDC Section 930 D.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Approval of this request is only for Level 4 Review and only for those development decisions within the Board of County's Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

NOTE: Issuance of a 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.

GENERAL NOTES

NOTE: Approval of this variance shall not constitute a waiver or an additional variance from any applicable development regulation unless specifically noted in the conditions of approval and consistent with LDC Section 930 D.

NOTE: All conditions of approval, unless otherwise specified, shall be met prior to the effectiveness and validity of the variance approval.

NOTE: All written commitments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Issuance of a 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.

For further information, please call (863) 534-6084.

Sincerely,



Erik E. Peterson, AICP
Principal Planner
Planning Commission Coordinator

c: County Attorney (Elizabeth Voss) Case File
South Ft. Meade Partnership LP