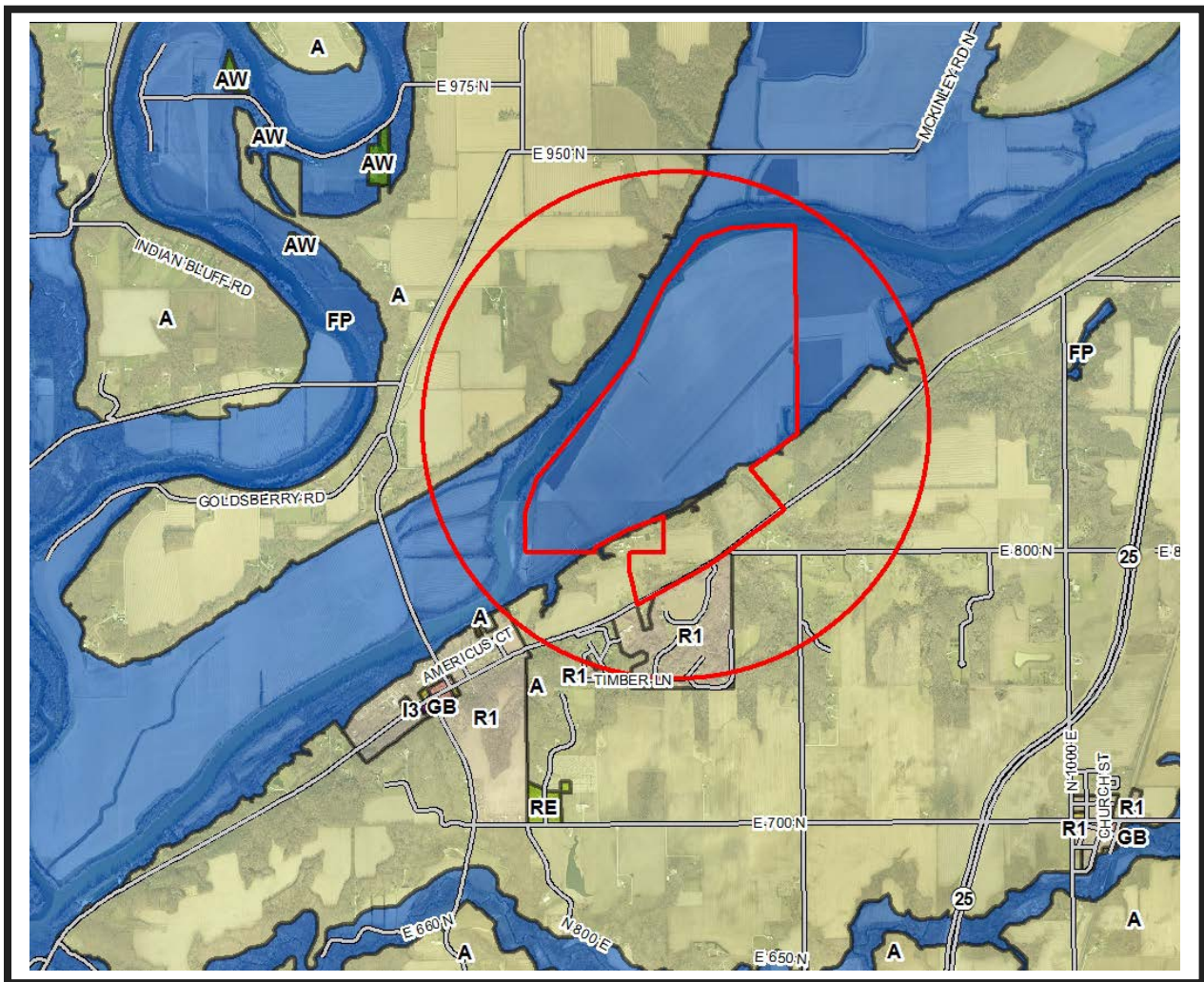

**BZA-1957
ROGERS GROUP, INC
(special exception)**

**STAFF REPORT
September 21, 2017**



BZA-1957
ROGERS GROUP INC.
Special Exception

Staff Report
September 21, 2017

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner with consent from the property owner, Henry Bosma and represented by attorney Chris Shelmon, is requesting a special exception to permit a mining operation (SIC 14) in the A and FP zones. Active years for mining have been estimated at 50-60 years. The proposed hours of operation for blasting are normally between 10AM and 2PM once every week and in extraordinary circumstances, twice a week between 10AM and 5PM. The proposed hours of operation for loading and processing are Monday through Friday 6AM to 6PM, Saturday 6AM to noon, with occasional activities outside of normal hours. The 524 acre property is located along the Wabash River, just northeast of Americus at 8032 Old State Road 25 North in Washington 3 & 10 (N1/2 & W1/2) 24-3.

Two special exception requests (BZA-1913 & BZA-1890) and two variance requests (BZA-1889 & BZA-1912) for the same location were filed and later withdrawn by the petitioner.

STAFF COMMENTS:

During the review of the submitted site plan, staff uncovered the following discrepancies which must be addressed in an amended site plan and resubmitted by the filing deadline for October ABZA public hearing.

1. The proposed placement mounds of dirt, which the plan refers to as “spoils piles” will create islands of fill within the regulatory floodway. According to our legal counsel, as per section 2-27-18(e), the placement of the fill as shown on the proposed site plan would be in violation of the UZO. A revised site plan indicating a new location for the proposed islands of fill placed outside the regulatory floodway and/or floodway fringe should be submitted.
2. The petition states the provision of outdoor lighting including security lights and/or flood lights by the office, processing and parking area would be provided. A drawing illustrating the proposed lighting plan should be submitted.

Subsequently, petitioner also should clarify the following items for staff to accurately review this request:

1. Start date of the SIC 14 use on the proposed site within 1 year of ABZA approval date;
2. Exact years of operation (i.e either 50 years or 60 years);
3. Start and end date of the reclamation plan; and
4. Exact hours for both the operation activities and blasting activities.

STAFF RECOMMENDATION:

Continue to October ABZA meeting

Note: Staff’s recommendation does not count towards petitioner’s two allotted continuances.