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SUMMARY AND OVERVIEW

Major Earthmoving Permit Application 22-171896 RE

SUMMARY OF POTENTIAL PROJECT IMPACTS AND CONSIDERATIONS

The following summarizes the key facts of the proposed application as they relate to the approval criteria:

- If permitted, this excavation would be the second commercial borrow pit on the Hi Hat Ranch Property.
- The applicant proposes on-site operations and hauling off-site from 7:00 a.m. to 4:00 p.m., Monday through Friday.
- The proposed borrow pit excavation area is approximately 288 feet from the western Hi Hat Ranch property boundary, 700 feet from the northern property boundary, 400 feet from the southern property boundary, and 4,500 feet from the eastern property boundary.
- A water truck will be available six days a week to control fugitive dust and particulates during all onsite operations.
- Section 54-347 of the Earthmoving Code specifies that “depth of an excavation shall not exceed 20 feet and shall not penetrate any rock strata or other aquiclude. However, at a public hearing, the Board may grant permission for Excavation in excess of 20 feet in depth if the Applicant demonstrates that the development and operation of the Excavation will not adversely affect existing or created groundwater levels, water quality, or the property of others. In this case, the Permit must contain a provision authorizing a specific depth to which excavation may occur below 20 feet.” The applicant for the subject application requests County Commission (Board) approval to excavate to a depth of 25 feet.
- The proposed commercial borrow pit operation requires access to and from Fruitville Road. As determined by County Transportation Division staff, improvements within the Fruitville Road right-of-way will be required to accommodate the proposed truck hauling. These improvements include the construction of a turn lane, a stormwater treatment area, signage, and installing a traffic signal. The applicant has applied for the Unified Development Code required Site Development construction authorization (application number 23-160777-DS) for this work.
- If issued, the Earthmoving permit would be valid for a period not to exceed ten years, with annual reports required to Sarasota County.
- Per the Unified Development Code Section 124-76(a)(4)(b)(7), borrow pits are a permissible use in OUE zoning districts. The proposed borrow pit is located within an OUE-1 zoning district.

BACKGROUND INFORMATION

The project site is located on Hi Hat Ranch property, on Fruitville Road approximately 4 miles east of Interstate 75. To access the proposed borrow pit, soil transporting trucks will utilize the to-be-improved intersection of Fruitville Road and Vic Edwards Road. The applicant is proposing a 155.7-acre project area within Property Identification Nos. 0223003000 and 0225003000.

The subject property is currently zoned OUE-1. Per the Unified Development Code Section 124-76(a)(4) (b)(7), borrow pits are a permissible use in OUE zoning districts. The Board also approved a Master Development Order for the Hi Hat Ranch on June 9, 2021. That plan identified this project area within the Greenway RMA and noted that a borrow pit, not to exceed 250 acres, is an allowable permissible use at this general location, subject to the review and approval by the Board and other regulatory agencies with jurisdiction pertaining to the excavation of the borrow pit. However, the Greenway has yet to be finalized through adopting a rezoning ordinance, which is expected in a future development stage. The proposed project area is currently used for agriculture, predominately classified as pastureland due to a long history of agricultural timbering. **Figure 1** below shows the current conditions at the proposed project location. There are no Comprehensive Plan designated native habitats within the project area.

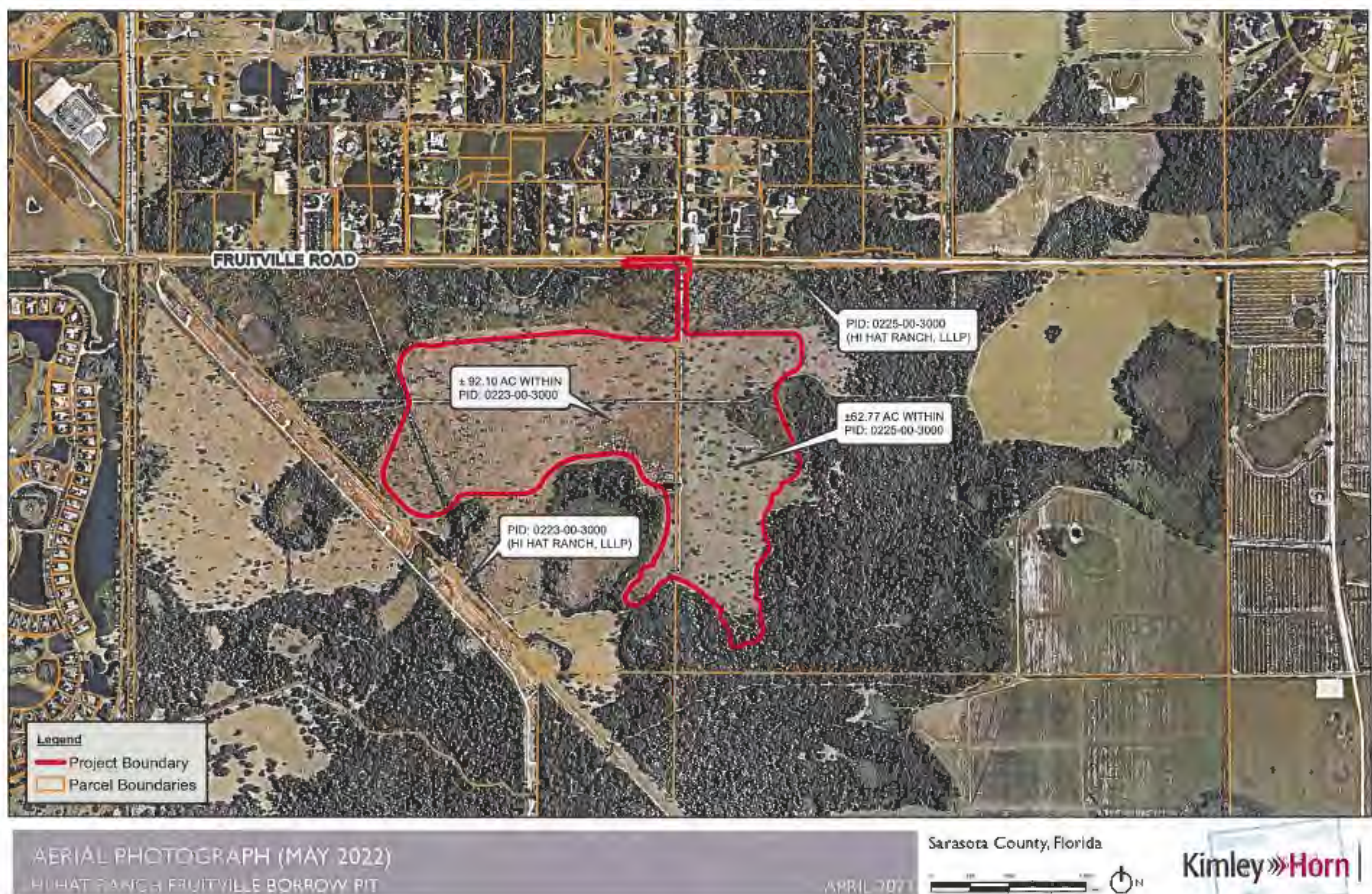


Figure 1. Current site condition photo included in application package.

The new proposed borrow pit is approximately 18,300 Feet (3.5 miles) northwest of the existing Hi Hat Ranch borrow pit. **Figure 2** shows the existing and proposed borrow pits within the Hi Hat Ranch property.

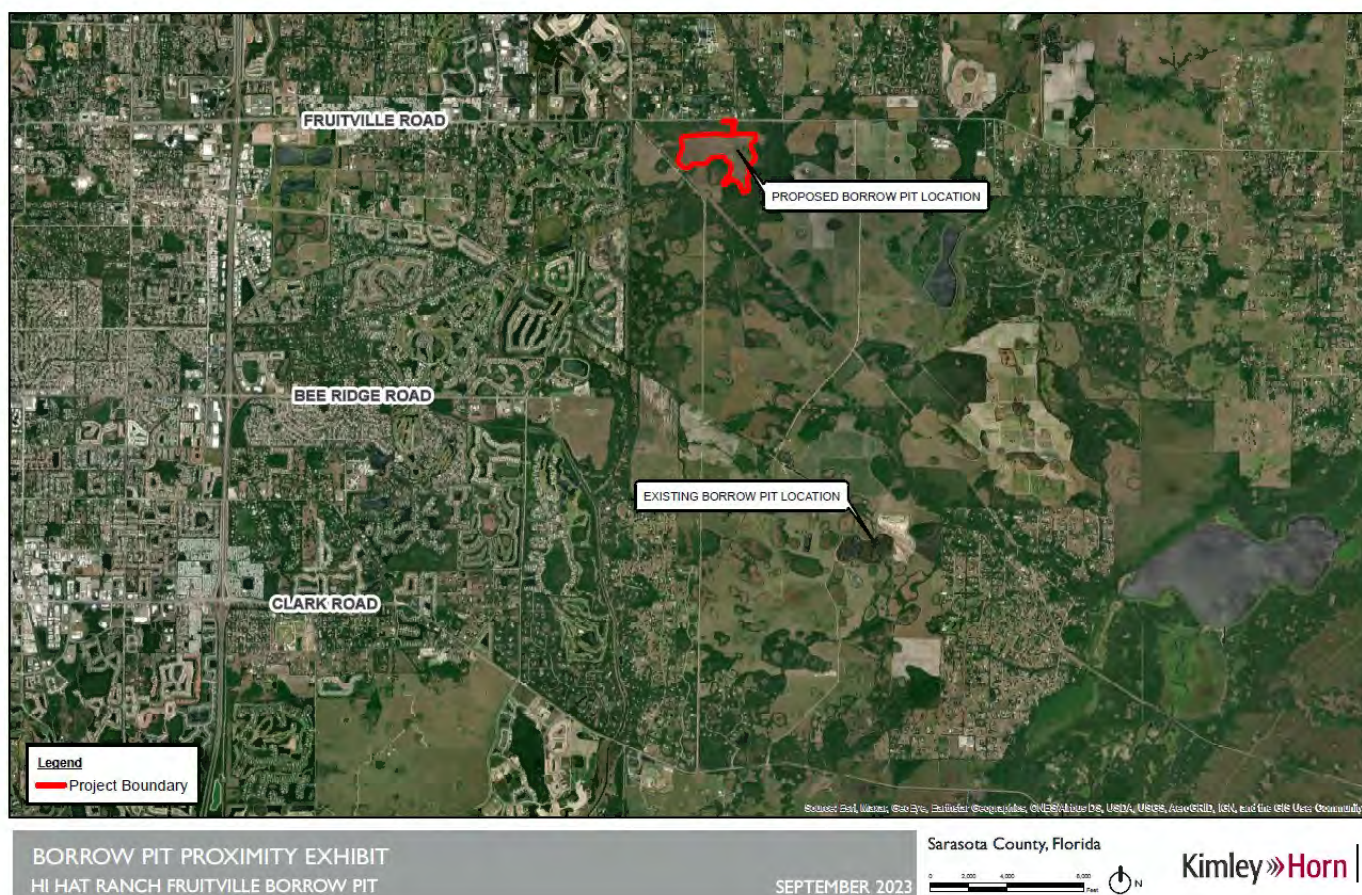


Figure 2. Aerial Photo of the existing and proposed borrow pit on the Hi Hat Ranch property.

MAJOR EARTHMOVING PERMIT APPLICATION 22-171896-RE ANALYSIS

OVERVIEW

The Petitioner proposes a three (3) cell borrow pit for excavation of suitable fill material. This permit will authorize the excavation, stockpiling and hauling of up to 4,855,281 cubic yards of material off-site. The proposed on-site operations and hauling off-site will occur from 7:00 a.m. to 4:00 p.m., Monday through Friday. The applicant requests County Commission (Board) approval for a maximum excavation depth not to exceed 25 feet. Section 54-347 of the Earthmoving Code specifies that “depth of an excavation shall not exceed 20 feet and shall not penetrate any rock strata or other aquiclude. However, at a public hearing, the Board may grant permission for Excavation in excess of 20 feet in depth if the Applicant demonstrates that the development and operation of the Excavation will not adversely affect existing or created groundwater levels, water quality, or the property of others. In this case, the Permit must

contain a provision authorizing a specific depth to which excavation may occur below 20 feet.” A recharge ditch will be constructed around each cell of the borrow pit to prevent offsite discharges and maintain the hydrology in adjacent wetlands. **Figure 3** below shows the configuration of the cells within the project boundary.

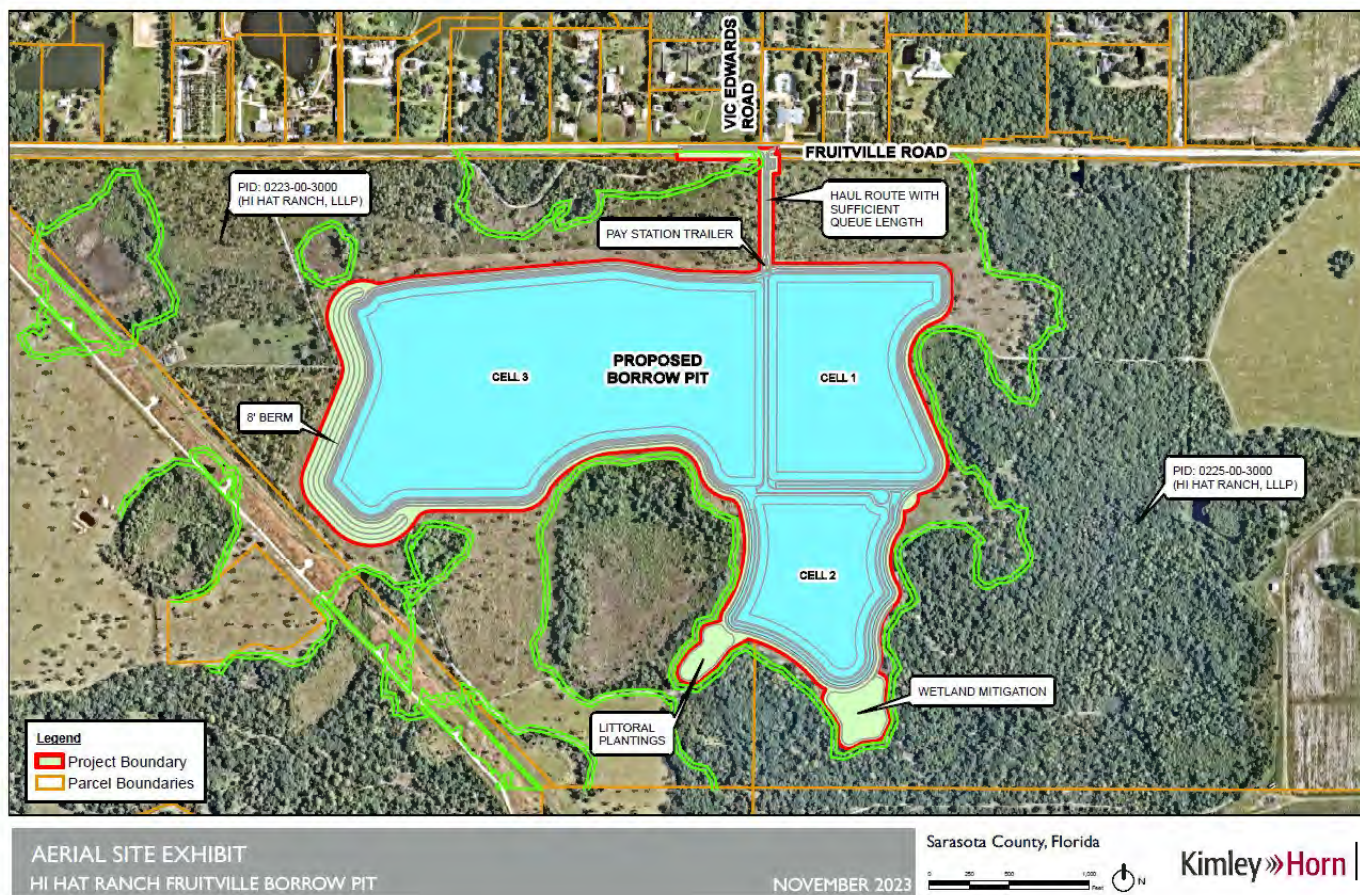


Figure 3. Aerial Site Plan included in the application package.

ENVIRONMENTAL

If issued, the Earthmoving permit would be valid for a period not to exceed ten years, with annual reports required to Sarasota County. The requirements of Major Earthmoving Permit’s annual reports include describing all activities conducted during the previous year and those proposed during the upcoming year, including any cleanup and closure activities. The report shall include sufficient detail to demonstrate that the permittee has complied with all applicable ordinance regulations and permit conditions, written commitments provided by the permittee, and County-approved plans.

Fugitive dust, noise, and vibrations are a concern with the proposed borrow pit location’s proximity to adjacent property boundaries and nearby residential houses. Section 54-345(5)(c)(6) of the Earthmoving Code states that the Board must determine that the proposed activity will not generate dust, excessive noise, vibration, or traffic at levels that create, in the sole determination of the County, nuisances to adjacent property owners for the issuance of the permit. At its closest points, the excavation area is

approximately 288 feet from the western project boundary, 700 feet from the northern project boundary, 400 feet from the southern property boundary, and 4,500 feet from the eastern project boundary. **Figure 4** below shows the borrow pit's proximity to adjacent property boundaries. Section 54-347(1)(c) of the Earthmoving Code requires excavations in excess of 100,000 cubic yards of volume to be a minimum of 200 feet of Neighboring Property lines. The applicant has also proposed an eight (8) foot vegetated berm to be constructed along the western boundary of cell three to help reduce dust dispersal, noise, and visibility of the operations. The applicant has also committed to employing a water truck six (6) days a week for the open excavation areas and haul route.

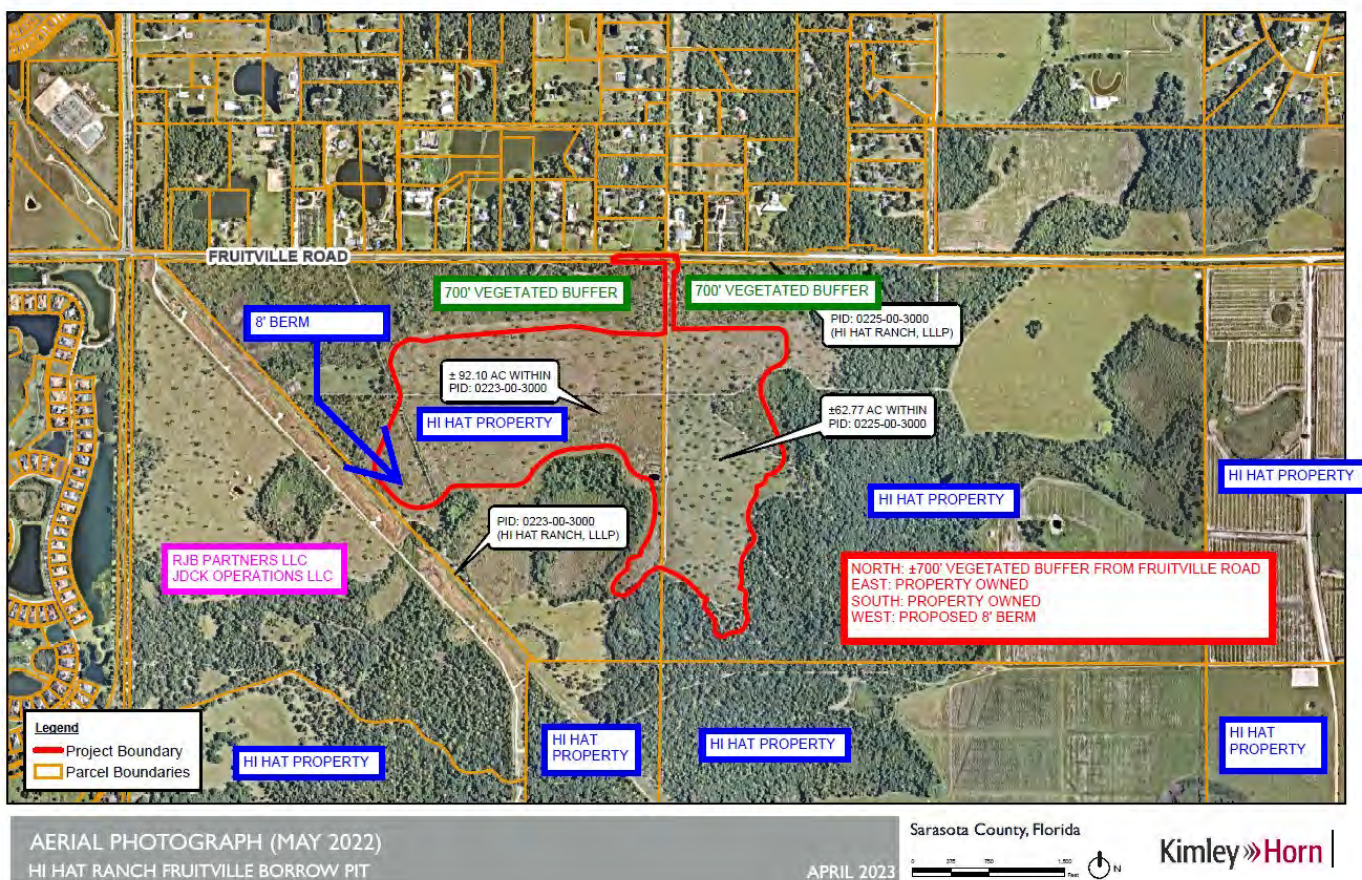


Figure 4 shows the borrow pit's proximity to adjacent properties included in the application package.

No wetlands will be impacted by the proposed borrow pit. However, one roadside wetland (Wetland 12) will be impacted by the construction of a new turn lane along Fruitville Road for centralized access into the site, for which mitigation is proposed within the project area. The authorization for the construction of the turn lane is not included with this application, however, it will be required before any excavation may begin and will be evaluated in the review of the associated site development application, 23-160777-DS. Two small other surface water areas (0.09 and 0.23 acres) will be impacted by the proposed development. **Figure 5** below shows the impact areas.

Five (5) wetlands (Wetlands 1, 9, 11, 12, and 13), located outside the project boundaries, are within 200 feet of the proposed borrow pit. The annual reports will provide monitoring information on the vegetation within these wetland systems and additional information from the monitoring wells within

Wetlands 1, 9, 11, 12, and 13 and five (5) staff gauges located within the recharge trench near each monitoring well. The monitoring plan is to ensure that no adverse secondary hydrologic impacts occur to nearby wetlands.

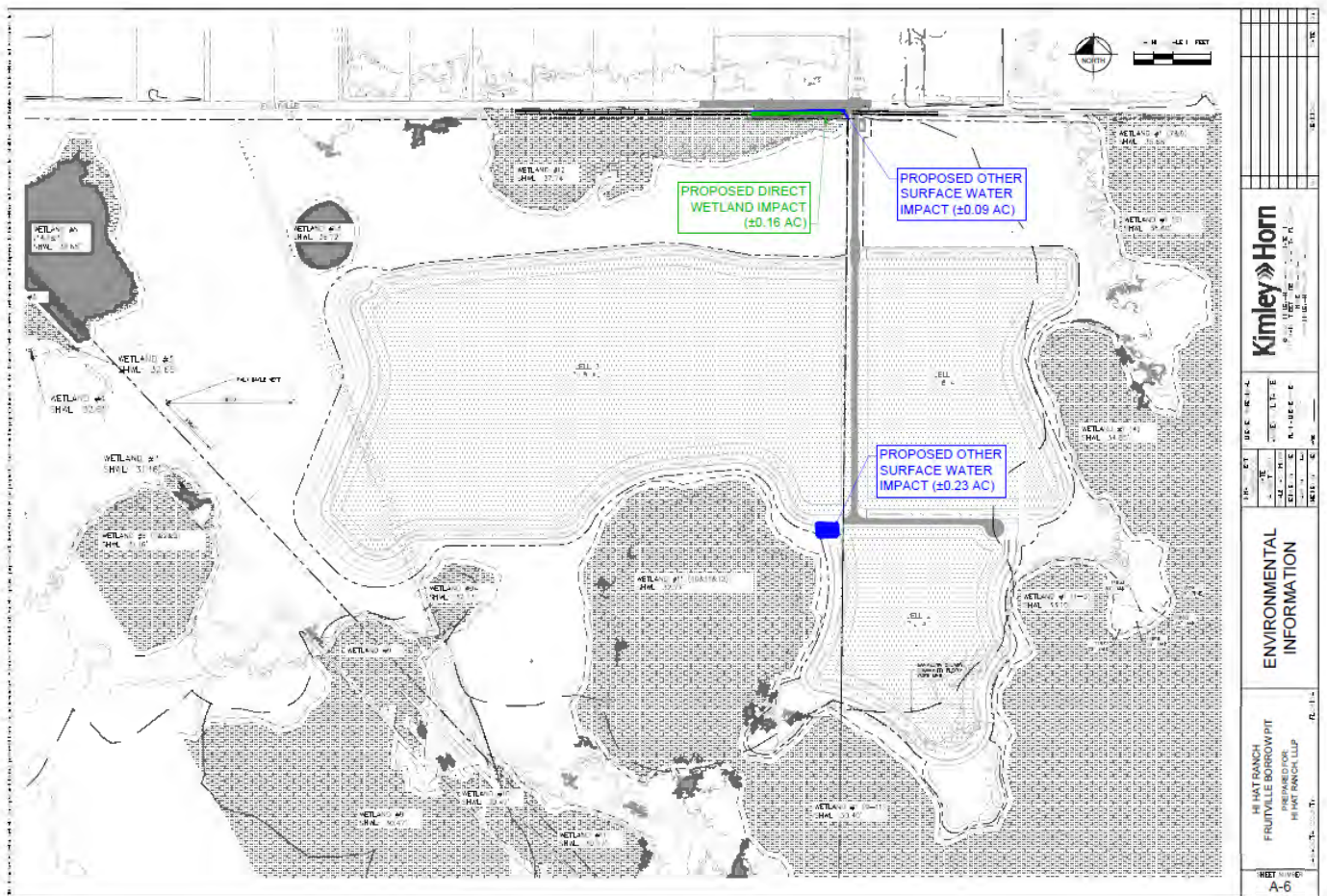


Figure 5. Environmental Information Plan included in the application package.

The applicant has proposed 5.75 Acres of littoral zone planting within the borrow pit perimeter slope and an additional 1.37 Acres of littoral zone plantings within the floodplain compensation area. The total littoral zone planting areas equates to 7.12 Acres, which is approximately 5.3% of the total borrow pit acreage. The Earthmoving Code requires a minimum of 5% littoral zone be provided. The littoral zones shall be planted during the months of April through September prior to or as part of the excavation closure operations. **Figure 6** below illustrates the Littoral Zone areas.

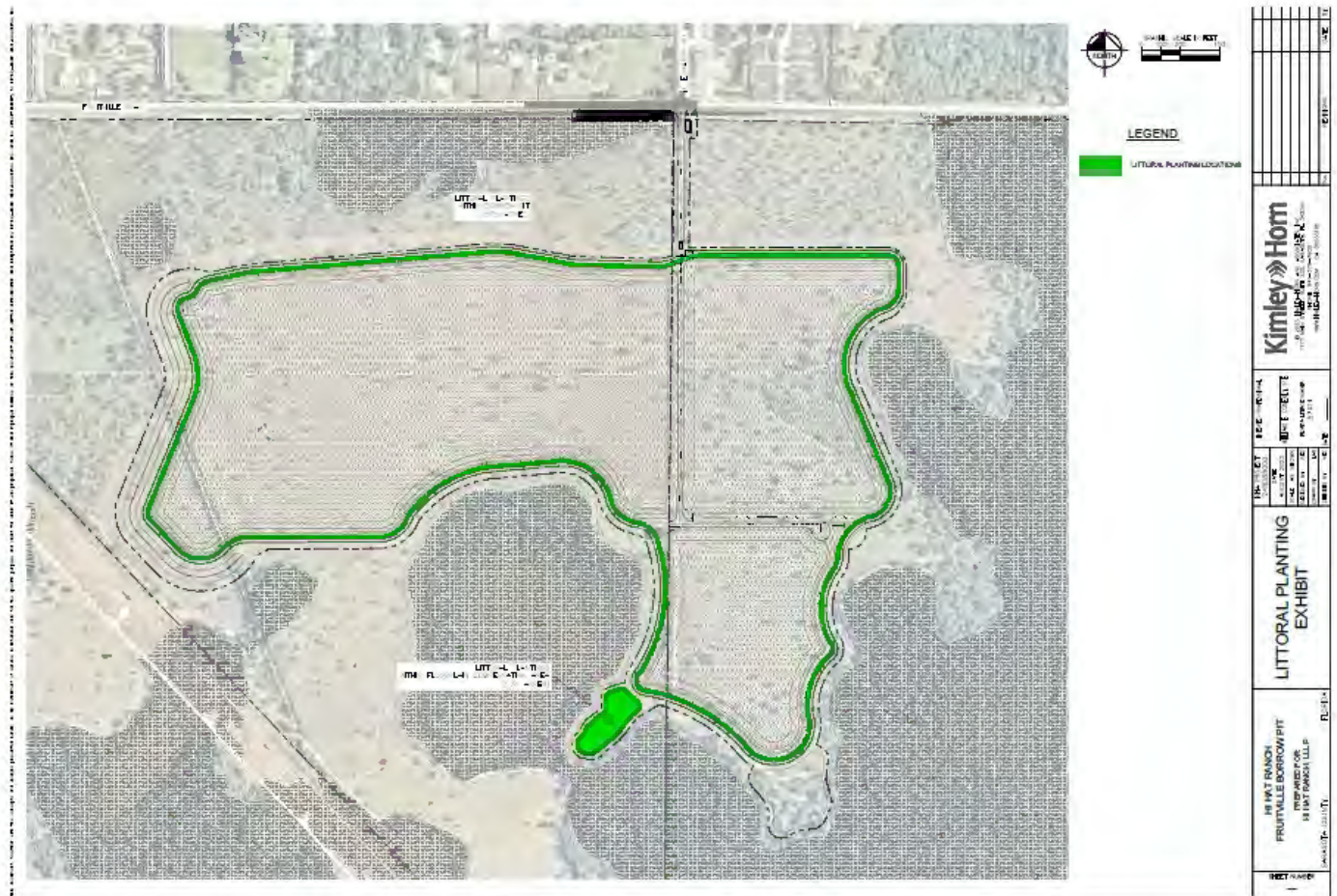


Figure 6. Littoral Planting Exhibit included in the application package. Littoral Planting locations highlighted in green.

At the completion of excavation from the borrow pit, the proposed Closure Sequencing and Planting Plan will be implemented (refer to **Figure 7 below showing the Final Excavation Sequencing Notes and Planting Plans**). The 3 celled borrow pit areas are proposed to be converted to one lake configuration. The recharge ditches and vegetated berm will be removed. All side slopes of the lake area shall be graded to 4:1 down to a 5-foot depth below the control water line, then to 2:1 down to the lake bottom. All finish grade slopes shall be stabilized with sod or hydroseed to prevent erosion. The Littoral zones and wetland mitigation areas will remain monitored in accordance with Article 9 of the Unified Development Code.

TOTAL BUILDOUT NOTES

EXCAVATION VOLUME: 4,855,281 CY

FINAL EXCAVATION NOTES:

1. REMOVE THE RECHARGE DITCHES VIA BANK EXPANSION AS SHOWN IN SECTION J-J WITH SLOPES OF 4:1 DOWN TO 5' DEPTH OF CWL THEN 2:1 DOWN TO LAKE BOTTOM.
2. REMOVE STOCKPILE AREA.
3. STABILIZE ALL FINISH GRADE SLOPES STABILIZE WITH SGD OR HYDROSEED TO PREVENT EROSION.
4. CONSTRUCT EMERGENCY OVERFLOW WEIR PER DETAILS PROVIDED ON SHEET 9-9.
5. FILL AND COMPACT ALL EXISTING PORTIONS OF RECHARGE DITCH THAT EXTEND OUTSIDE THE FINAL LAKE AREA.
6. REMOVE ALL SILT FENCE AND OTHER BMP DEVICES.

Planting for Hi Hat Ranch Fruitville Borrow Pit.									
			Species Name	Poslederia cordata	Sagittaria latifolia	Eleocharis interstincta	Scirpus validus	Spartina bakeri	
			Common Name	Pickersweed	Arrowhead	Spikerush	Bulrush	Sand cordgrass	Total
			Spacing	3' o.c.	3' o.c.	3' o.c.	3' o.c.	3' o.c.	
			Size	bareroot	bareroot	bareroot	bareroot	qt. eq.	
			Percentage	35%	20%	30%	15%	15%	100%
Basin	Timing	5% Min Lake Area (Acres)	Provided littoral shelf (SF)	Quantity					
Pond 1 (Littoral Shelf) ¹	At Closure	5.75	250,470	9,741	5,566	8,349	4,175	-	27,831
Floodplain Compensation Area 1/ Littoral Shelf ²	At Closure	1.37	59,677	2,321	1,326	1,989	-	995	6,631
Floodplain Compensation Area 2/ Mitigation Area M-2	Phase 1	2.32	101,059	3,930	2,246	3,368	-	1,684	11,229
Total		9.44	411,206	15,992	9,138	13,707	4,175	2,679	45,691

NOTES:

1. Littoral zone monitoring will be conducted on a semi-annual basis and maintenance will be performed bi-monthly maintenance for a period of two years.
2. A Monitoring and Maintenance Bond will be provided to the County as a surety to cover 100% of the cost for two years of monitoring and maintenance pursuant to the UDC Section 124-178. The bond will remain in effect until the littoral zones are determined to be successful by the County.
3. Plants will be obtained from a certified nursery. If plants are to be obtained from the wild, the applicant must provide proof that the appropriate Permit has been obtained from the Florida Department of Environmental Protection. If plants are obtained from the wild, they shall be free of exotic plant and animal species.
4. The littoral shelves on the project will be maintained in perpetuity by the Applicant, or similar successor entity may assume the role of Responsibility Entity.
5. The project will meet littoral zone success criteria outlined in Section 124-178(h). The littoral zone shall be deemed successful and monitoring may cease when the herbaceous emergent native vegetation equals or exceeds 65 percent coverage and nuisance/invasive species coverage constitute less than 15 percent.

Figure 7. Final Excavation Sequencing Notes and Planting Plans. Exhibit included on Civil Plans Sheet B-5, included in the application package.

TRANSPORTATION

Regarding access to the site, Public Works Transportation Division staff have reviewed the subject application. They have determined that improvements within the Fruitville Road right-of-way will be required to accommodate the proposed truck hauling and "...to prevent or mitigate adverse transportation impacts," consistent with Section 54-345(11) of the Earthmoving Code. These improvements include the construction of a turn lane, a stormwater treatment area, signage, and installing a traffic signal, subject to the standards of the Unified Development Code (UDC). The applicant has applied for the UDC required Site Development construction authorization (application number 23-160777-DS) for this work. The following stipulation associated with this requirement has been recommended by Public Works Transportation and is included in the draft earthmoving permit; refer to **Attachment 5**.

The Applicant shall construct a signal and a turn lane on Fruitville Road at the intersection with Vic Edwards Road, maintained for the life of the earthmoving permit, before any trucks remove fill from the site.

To further mitigate adverse transportation impacts, the following stipulation has also been included in the draft earthmoving permit (**Attachment 5**):

The Applicant shall utilize existing internal roadways when moving fill within the contiguous lands of the Hi Hat Ranch Master Development Order. Existing internal roads may be improved and/or new internal roads may be approved, subject to applicable regulations.

COMPREHENSIVE PLAN CONSISTENCY

All development orders, including Major Earthmoving Permit Applications under the Earthmoving Code, must be consistent with the Comprehensive Plan. The Board may or may not find the proposed construction consistent with the goals, policies, and objectives of the Comprehensive Plan or management guidelines for protected native habitats found within the Principles for Evaluating Development Proposals in Native Habitats, including but not limited to:

ENV Policy 1.1.1. *Review all development proposals for consistency with the “Principles for Evaluating Development Proposals in Native Habitats.”*

ENV Policy 1.2.1. *Land uses and land and water development shall be consistent with and governed by the Environmental Values and Functions of Sarasota County’s native habitats in accordance with the Management Guidelines set forth in the “Principles for Evaluating Development Proposals in Native Habitats.”*

There are no protected native habitats within the proposed project boundary, including wetlands or wetland buffers.

ENV Policy 1.2.2 - *The county shall continue to require planted littoral zones to provide water quality treatment for surface waters and wildlife habitat.*

The permittee has proposed 7.12 Acres of planted littoral zones which will be created and planted as part of the excavation closure operations.

ENV Policy 3.2.1 – *Ensure that land use and development activities conserve water resources and protect the hydrologic period of natural systems.*

Construction and management of the proposed wetland recharge ditches along with the hydrologic monitoring and reporting within the annual reports of this borrow pit will help protect the historic hydrologic period onsite.

ENV Policy 3.2.4 - *The county shall enforce ordinances that regulate borrow pits, and other excavations, stockpiling, hauling and landfillings throughout Sarasota County including mitigation and restoration measures as necessary.*

The applicant has followed all ordinances that regulate borrow pits.

ENV Policy 3.2.5 – *Monitor surface and ground water quality, during the development activities of projects of significant impact, as determined by Air and Water Quality. This will facilitate the monitoring of cumulative impacts of development on stormwater runoff and water quality.*

Monitoring wells and staff gauges will be installed throughout the site and reported to the County annually.

FLU Policy 1.2.2(A) – *Protect environmentally sensitive lands, conserve natural resources, protect floodplains, maintain or improve water quality, and open space.*

The applicant has configured the proposed excavation entirely within upland areas and outside of environmentally sensitive lands.

FLU Policy 1.2.5 – *No development order shall be issued which would permit unmitigated development in 100 year floodplains, as designated on Federal Emergency Management Agency Flood Insurance Rate maps or adopted County flood studies, or on floodplain associated soils, defined as Soils of Coastal Islands, Soils of the Hammocks, Soils of Depressions and Sloughs, and Soils of the Floodplains and shown in Map 1-2 of the Future Land Use Map Series, that would adversely affect the function of the floodplains or that would degrade the water quality of water bodies associated with said floodplains in violation of any local, State, or federal regulation, including water quality regulations.*

The proposed excavations will create a net excess of 100-year floodplain area.

Water Policy 1.2.1 – *The county shall implement its Watershed Management Plan consistent with the National Pollutant Discharge Elimination System (NPDES) permit issued by FDEP.*

An NPDES permit issued by FDEP shall be a requirement of this project.

EARTHMOVING APPROVAL CRITERIA

Pursuant to Section 54-345(5)(c) of the Earthmoving Code, permits shall be issued if the Board or Administrator determines the following:

1. The proposed activity will not interfere with the proper functioning of any sanitary, stormwater or other drainage system or natural flowage way, whether public or private, so as to create flooding or health hazards.
2. The proposed activity shall not result in a net loss upon the County-designated 100-year floodplain.
3. The proposed activity for any stormwater conveyance on or from the site complies with the stormwater requirements contained within the County's Land Development Regulations [Unified Development Code, Chapter 124, Articles 12, 13, 17 and 18 of the County Code].
4. The proposed activity does not adversely affect the implementation of any regional stormwater basin plan approved by the Board;
5. The proposed activity shall not adversely affect surface and groundwater levels;

6. The proposed activity will not generate dust, excessive noise, vibration, or traffic at levels that create, in the sole determination of the County, nuisances to adjacent property owners;
7. The application is consistent with the Comprehensive Plan and the Applicant has met all applicable requirements set forth by this article. In addition, the proposed activities shall be consistent with the following:
 - a. Chapter 54, Articles V, VI and VII, of the Sarasota County Code relating to air quality, noise, and water quality protection;
 - b. Chapter 54, Article XX, of the Sarasota County Code, relating to coastal dredge and fill;
 - c. Chapter 124 of the Sarasota County Code, relating to zoning;
 - d. Chapter 66, Article III, of the Sarasota County Code, relating to historic resources and the Historic Preservation Chapter of the Comprehensive Plan; and
 - e. Chapter 74, the County's Land Development [Regulations] [Unified Development Code, Chapter 124, Articles 12, 13, 17 and 18 of the County Code] Unified Development Code relating to stormwater.
 - f. Chapter 54, Article XXXIII, of the Sarasota County Code relating to the Myakka River Protection Zone.
8. The proposed activity will not adversely affect the public's health, safety and welfare.

To assist the Board's evaluation of this Earthmoving Permit application, the table in **Appendix 1** summarizes the Earthmoving Code approval criteria and purposes of the Earthmoving Code and provides an analysis of the project as it relates to these requirements. See also the Comprehensive Plan Consistency section above.

The Board may or may not find the project consistent with the permit approval criteria, as outlined in **Appendix 1**. Staff's presentation for the public hearing is included in **Attachment 3**. The Petitioners' application materials are included in **Attachment 5**.

RECOMMENDATION

To adopt a resolution reflecting the Board's decision regarding Major Earthmoving Permit application 22-171896-RE. If the Board finds that the proposed project is consistent with the approval criteria and the Comprehensive Plan, refer to **Attachment 5** for a draft approval resolution. If the Board does not find the proposed project consistent with the approval criteria and/or the Comprehensive Plan, staff will prepare a denial resolution that specifies those items found by the Board to be inconsistent with the approval criteria and the Comprehensive Plan.

APPENDIX 1: STAFF ANALYSIS OF EARTHMOVING APPROVAL CRITERIA

APPROVAL CRITERIA	Facts Demonstrating Consistency	Facts Demonstrating Inconsistency
1. <i>The proposed activity will not interfere with the proper functioning of any sanitary, stormwater or other drainage system or natural flowage way, whether public or private, so as to create flooding or health hazards.</i>	<ul style="list-style-type: none"> Post construction of the borrow pit, this area will act as a large stormwater pond to prevent flooding. The proposed project also appears to maintain the historic flowage during and post construction. 	<ul style="list-style-type: none"> The Board may find the requested application consistent with this criterion.
2. <i>The proposed activity shall not result in a net loss upon the County-designated 100-year floodplain.</i>	<ul style="list-style-type: none"> The proposed earthmoving activity will create an excess of floodplain compensation area for any impacts to the existing floodplain onsite. 	<ul style="list-style-type: none"> The Board may find the requested application consistent with this criterion.
3. <i>The proposed activity for any stormwater conveyance on or from the site complies with the stormwater requirements contained within the County's Land Development Regulations [Unified Development Code, Chapter 124, Articles 12, 13, 17 and 18 of the County Code].</i>	<ul style="list-style-type: none"> Sarasota County Stormwater staff reviewed the application and found it consistent with all stormwater requirements contained within the County's Land Development Regulations [Unified Development Code, Chapter 124, Articles 12, 13, 17 and 18 of the County Code]. 	<ul style="list-style-type: none"> The Board may find the requested application consistent with this criterion.

APPROVAL CRITERIA	Facts Demonstrating Consistency	Facts Demonstrating Inconsistency
4. <i>The proposed activity does not adversely affect the implementation of any regional stormwater basin plan approved by the Board</i>	<ul style="list-style-type: none"> The proposed project area does not have an approved stormwater basin plan approved by the Board. 	<ul style="list-style-type: none"> The Board may find the requested application consistent with this criterion.
5. <i>The proposed activity shall not adversely affect surface and groundwater levels;</i>	<ul style="list-style-type: none"> The permittee has provided a Wetland Hydroperiod Maintenance Plan and will construct a recharge ditch around each excavation cell to maintain the hydrology in adjacent wetlands. An annual wetland and hydrology report will be submitted to the County as part of the annual report requirement of the permit. 	<ul style="list-style-type: none"> The Board may find the proposed earthmoving will adversely affect surface and groundwater due to the large area that will be excavated that can alter the existing historic surface and groundwater levels.
6. <i>The proposed activity will not generate dust, excessive noise, vibration, or traffic at levels that create, in the sole determination of the County, nuisances to adjacent property owners;</i>	<ul style="list-style-type: none"> The permittee has provided a noise-controlling berm in between the closest excavation area and the property boundary. The permittee has proposed signage, a traffic light, and a turn lane off of Fruitville Road to alleviate the traffic concerns in Site Development application No. 23-160777-00-DS, as stipulated in the approval resolution. 	<ul style="list-style-type: none"> The Board may find the proposed earthmoving activity will generate dust, excessive noise, vibration, and/or traffic to be considered a nuisance to adjacent property owners.

7(a). Chapter 54, Articles V, VI and VII, of the Sarasota County Code relating to air quality, noise, and water quality protection;	<ul style="list-style-type: none"> The permittee has provided a fugitive dust, erosion control, and Stormwater Pollution Prevention plans, as well as a noise control berm for the earthmoving activities. 	<ul style="list-style-type: none"> The Board may find the proposed air quality, noise, and water quality protection measures inadequate for the large-scale earthmoving proposed within the distances to offsite property owners.
APPROVAL CRITERIA	Facts Demonstrating Consistency	Facts Demonstrating Inconsistency
7(b). Chapter 54, Article XX, of the Sarasota County Code, relating to coastal dredge and fill;	<ul style="list-style-type: none"> This project is not proposing any coastal dredging or filling. 	<ul style="list-style-type: none"> The Board may find the requested application consistent with this criterion.
7(c). Chapter 124 of the Sarasota County Code, relating to zoning;	<ul style="list-style-type: none"> Per the Unified Development Code Section 124-76(a)(4)(b) (7), borrow pits are a permissible use in OUE zoning districts. The proposed borrow pit is located within an OUE-1 zoning district. 	<ul style="list-style-type: none"> The Board may find the requested application inconsistent in that the Unified Development Order does not specifically allow for borrow pits within Greenway, only alternative Greenway buffers, per Section 124-271(i)(2)(g)(3)(ii) of the Unified Development Code. The project area is within designated Greenway space in the Hi Hat Ranch Master Development Order.
7(d). Chapter 66, Article III, of the Sarasota County Code, relating to historic resources and the Historic Preservation Chapter of the Comprehensive Plan;	<ul style="list-style-type: none"> Sarasota County Historical Resource staff reviewed and accepted the provided Cultural Resource Assessment Survey. The application was approved with no stipulations or mitigation within the proposed area of effect. 	<ul style="list-style-type: none"> The Board may find the requested application consistent with this criterion.

<p><i>7(e). Chapter 74, the County's Land Development [Regulations] [Unified Development Code, Chapter 124, Articles 12, 13, 17 and 18 of the County Code] Unified Development Code relating to stormwater.</i></p>	<ul style="list-style-type: none"> • The earthmoving application has been reviewed by County Stormwater staff for consistency with the County's Land Development Regulations [Unified Development Code, Chapter 124, Articles 12, 13, 17, and 18 of the County Code] Unified Development Code relating to stormwater. 	<ul style="list-style-type: none"> • The Board may find the requested application consistent with this criterion.
APPROVAL CRITERIA	Facts Demonstrating Consistency	Facts Demonstrating Inconsistency
<p><i>7(f). Chapter 54, Article XXXIII, of the Sarasota County Code relating to the Myakka River Protection Zone.</i></p>	<ul style="list-style-type: none"> • The project is not located within the Myakka River Protection Zone. 	<ul style="list-style-type: none"> • The Board may find the requested application consistent with this criterion.
<p><i>8. The proposed activity will not adversely affect the public's health, safety and welfare.</i></p>	<ul style="list-style-type: none"> • The Board may find the excavation, stockpiling, hauling, and truck traffic will be performed upon privately owned lands and roadways within Hi Hat Ranch to access onto Fruitville Road, a public road. The proposed earthwork will not likely interfere with the public's health, safety, and welfare. 	<ul style="list-style-type: none"> • The Board may find the hauling of excavated material onto Fruitville Road interferes with traffic patterns and could cause backups, slowdowns, and potential accidents.