



Clark County Community and Economic Development

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May 1, 2017

Brian Barger
Eastman & Smith LTD.
100 E. Broad St., 21st Floor
Columbus, OH 43215

Re: Enon Sand & Gravel; IMM-340-4.

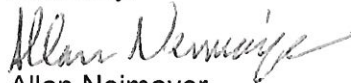
Dear Mr. Barger:

As you know, Enon Sand & Gravel is awaiting to hear from the Ohio Department of Natural Resources (ODNR) on its request to amend their ODNR Permit #IMM-340-4. Our understanding is that ODNR has extended its comment period on the "application for a significant mining modification" to May 22, 2017 after which ODNR has 30 days to make their decision.

Zoning for Mad River Township is governed by the Clark County Zoning Resolution. Zoning for Mad River Township was adopted in November 3, 1964. In accordance with zoning regulations since November 3, 1964, the start of any mineral extraction operation after November 3, 1964, or the expansion or significant modification to a legal non-confirming operation prior to November 3, 1964, requires a Conditional Use permit approved by the Clark County Board of Zoning Appeals (BZA). A search of records by Clark County Community & Economic Development Department, who handles the county's zoning administration, resulted in not finding Conditional Use permit approval by the BZA for the property. This search was conducted based on the Enon Sand & Gravel property location map included in ODNR's IMM Modification Application notice.

The purpose of this letter is to notify Enon Sand & Gravel via its legal counsel that, pending approval by ODNR to amend its permit #IMM-340-4, a Conditional Use Application must be filed with Clark County's BZA pursuant to Chapter 7, Section 129 of the Clark County Zoning Regulations. This application along with the BZA's 2017 filing deadline and meeting schedule is available on the county's website under the planning & zoning section:
<http://www.clarkcountyohio.gov/index.aspx?NID=299>.

Sincerely:


Allan Neimayer
Senior Planner

C: Thomas A. Hale, Zoning Administrator
Mad River Township Trustees
Board of County Commissioners
Thad Townsend, Clark County Assistant County Prosecutor