



Use Permit Application

OFFICIAL USE ONLY:

Case Number: _____
Date Filed: _____
Gate Keeper: _____
Amount Paid: _____

Contact Information**APPLICANT:**

Name: Allied Properties, LLC
Address: 417 Caratoke Hwy., Unit D
Moyock, NC 27958
Telephone: 252-435-2718
E-Mail Address: jold@qhoc.com

PROPERTY OWNER:

Name: See Attached List
Address: _____
Telephone: _____
E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Contract Purchaser

Property Information

Physical Street Address: Caratoke Hwy.
Location: Moyock, NC 27958
Parcel Identification Number(s): 0023-000-0040-0000; 0023-000-0046-0000; 0023-000-0047-0000;
0023-000-0048-0000; 0023-000-0049-0000
Total Parcel(s) Acreage: 358.9
Existing Land Use of Property: Agricultural

Request

Project Name: Ballance Tract Mine
Proposed Use of the Property: Sand Mine
Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB 1230, PG 187; DB 72, PG. 25; DB 1488, PG 380
Total square footage of land disturbance activity: 3,608,814 sf+/-
Total lot coverage: 315,600 sf +/- Total vehicular use area: 300
Existing gross floor area: 0 Proposed gross floor area: 200

Community Meeting

Date Meeting Held: 11-24-2020 Meeting Location: Eagle Creek Pavillion

Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed): _____

See Attachment A

The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

A. The use will not endanger the public health or safety.

See Attachment A

B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

See Attachment A

C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

See Attachment A

D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

See Attachment A

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.


Property Owner(s)/Applicant*

12-15-2020

Date

*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

ATTACHMENT "A"

Purpose of the Use Permit and Project Narrative

The Use Permit request includes a 99.9-acre sand mining operation proposed across five parcels of land totaling 358.9-acres. The properties are located along the south side of Caratoke Hwy (NC 168), approximately 0.4 miles west of the intersection of NC 168 and Beechwood Shores Dr. (SR 1281), towards Moyock. The properties are zoned Agricultural and have historically been used for agricultural activities.

The mining operation includes 57.36-acres of proposed excavation area that will extend up to 25 feet below the existing ground surface. A total of 25.49-acres of stock piles, haul roads, recharge ditching, a dewatering basin, screening berms, a ticket office and other minor improvements are also proposed to support the operation. A total of up to 82.85-acres of disturbance is proposed.

Of the combined 358.9-acres of property, 191.20-acres is being dedicated as the proposed mining site. This results in an excavation area equal to 30% of the site area, a limit allowed by Section 4.2.5.A.(2) of County's UDO. With the exception of the haul road connection to Hwy 168, a railroad crossing to coincide with an existing farm road crossing and a dewatering basin outlet, a minimum 50' undisturbed buffer is being established around the perimeter of the mine operation. The provision of 6' high earthen berms with trees atop and the preservation of wooded areas will help to screen the haul road entrance from Hwy 168 and adjoining developed properties in that area. As prescribed by Section 4.2.4.A.(3)(b) of the UDO, the 50' undisturbed buffer, or setback, being provided is a condition the Commissioners may allow when screening measures, like those described above, are provided. Or when the mine adjoins vacant or farmland, as most of this site does.

Separation between the proposed excavation area and the nearest residence is approximately 2,180 ft. Separation to the nearest residence served by a known well is approximately 2,880 ft and separation to Hwy 168 is over 3,600 ft. At these distances, impacts related to sight, sound, and groundwater degradation are considered to be negligible, if any.

Dewatering will include pumping groundwater to a system of recharge ditches installed around the perimeter of the excavation area that connect to a settling basin at the SW corner of the mine. The settling basin will help to remove sediment and pollutants from the discharge water before being released to the existing ditch running along the property boundary. The recharge ditches act to replenish groundwater conditions outside of the excavation area and help minimize offsite impacts. The cover sheet of the mining plans provides additional information regarding pumping operation and monitoring plans. Given the rate of pumping, scheduling, filtering, recharging and monitoring proposed, impacts downstream of the site are expected to be minimal.

A. The Use will not endanger the public health or safety, due to the following:

1. In addition to the County's review for a use permit, the proposed mining operation requires approvals from multiple divisions of NCDEQ, the NCDOT, the USACOE, Dominion Energy and Chesapeake & Albemarle Railroad. Applications for these approvals are being reviewed concurrently with the Use Permit application and it is understood that a Use Permit will not be granted until all other permits are in hand.
2. No trespassing signs will be posted around the perimeter of the site.
3. Separations, dewatering, monitoring and screening are proposed as outlined in the Project Narrative and off-site impacts are expected to be minimal.
4. Traffic and noise generation are expected to be at, or below normal levels when compared with existing mine operations within the County and known to be in good standing with the County and State.

B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

1. Property immediately surrounding the proposed excavation area is either wooded or farmland. The nearest residence to the excavation area is approximately 2,180 ft.
2. Berms, plantings and preservation of existing trees are proposed along the haul road entrance to help screen the use from Hwy 168 and nearby developed properties.

C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

1. The CAMA Land Use Plan classifies the land as Rural. The Moyock Small Area Plan classifies most of the land as Limited Service. The County's Zoning Map classifies the property as Agricultural. Mining is a supported use in each of the above land classifications.
2. The proposed mining plan and activities are believed to be in conformity with the County's Unified Development Ordinance.

D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

1. Given the nature of the proposed mining operation, the use is expected to have minimal, to no impact on the County's public facilities.

Use Permit Submittal Checklist

Staff will use the following checklist to determine the completeness of your application within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

Use Permit Submittal Checklist

Date Received: _____ TRC Date: _____

Project Name: Ballance Mine

Applicant/Property Owner: APVA, LLC

Use Permit Submittal Checklist

1	Complete Use Permit application	X
2	Application fee (\$300)	X
3	Community meeting written summary	X
4	Conceptual plan, if applicable	X
5	Architectural elevations, if applicable	
6	2 copies of plans	X
7	2 hard copies of ALL documents	X
8	1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable)	X

For Staff Only

Pre-application Conference

Pre-application Conference was held on 11-20-2020 and the following people were present:

Laurie LoCicero, Donna Voliva, Mark Bissell, David Klebitz, Dylan Loyd, other staff

Comments
