



# Franklin County Communique to the Planning Board

## REQUEST FOR SPECIAL USE

18-SUP-01

1399 M C Wilder Rd

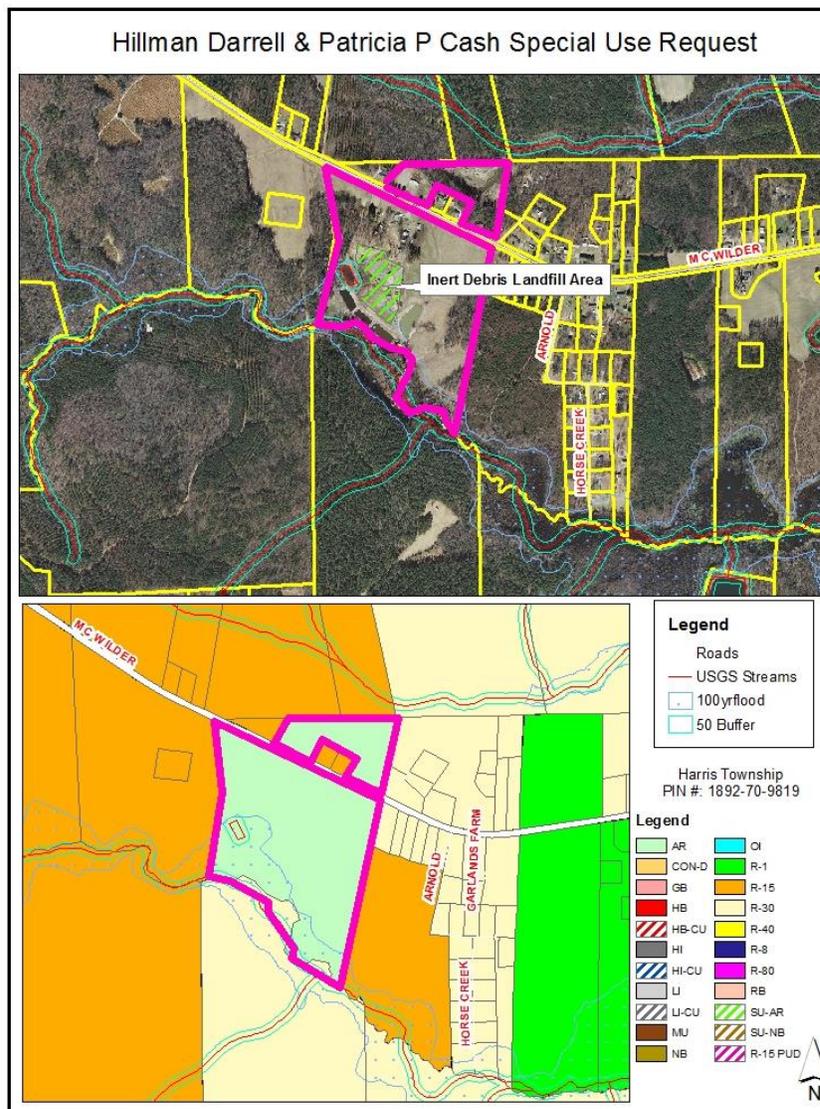
### PETITIONER(S):

Name of Petitioner: Hillman Darrell & Patricia P  
Cash  
Address: 1399 MC Wilder Rd  
City/State/Zip: Louisburg, NC 27549

### OWNER(S):

Name of Owner: Same  
Address:  
City/State/Zip:

### LOCATION:



### ATTACHMENTS:

Special Use Application  
Site Plan

## PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
Hillman Darrell & Patricia P Cash	1892-70-9819	AR	65.46
<b>TOTAL</b>			<b>65.46 Acres</b>

## ADJACENT PROPERTY SITE DATA

	ZONING	LAND USE
<b>Subject Property</b>	AR	Agricultural/Open/Residential/Existing Inert Debris Reclamation
<b>North</b>	R-15	Wooded
<b>South</b>	R-30	Wooded
<b>East</b>	R-30	Residential
<b>West</b>	R-15	Residential/Agriculture

## STAFF ANALYSIS

### PROJECT OVERVIEW

**Special Use Request:**

Hillman Darrell & Patricia P Cash are requesting a Special Use Permit to allow for a 5.052-acre Inert Debris Reclamation Landfill on a 65.46-acre parcel located at 1399 M C Wilder Rd. (State Road 1706) in Harris Township.

**Special Use Request Analysis:** A request has been placed to expand an existing 2-acre inert debris reclamation landfill to 5.052 acres. The application states that the current inert debris landfill has been in operation since 2000 under a state-mandated permit. The site plan indicates that the inert debris landfill is meeting all setback requirements from adjoining properties, wells, and residences. The site plan also indicates that there is an existing berm and security fence around the site. The application states that the hours of operation will be limited to 8:00AM - 6:00PM Monday through Friday and 8:00AM to 2:00PM on Saturday.

### PLANNING & ZONING

**Land Use Plan:** The Comprehensive Land Use Plan has designated this area as Low-Medium Density Residential. This property is located within the Airport Height Overlay District.

**Setback and Lot Size:**

Zoning District	Min. Square Footage	Min. Road Frontage	Min. Front Setback	Min. Side Setback	Min. Rear Setback
Non-residential Agriculture/Residential (AR)	40,000	150	40	30	50

**Water/Sewer Service:** Public water is available to this site. The facility is less than ½ mile from (2) two fire hydrants.

**Transportation:** The subject property is located off M C Wilder Rd, (SR 1706). The average daily traffic along this section of M C Wilder Rd is approximately 1000 vehicles per day.

**Environmental Issues:** The subject property is located within the Tar-Pamlico basin and is required to meet nutrient regulations for nitrates and phosphates. There is a pond located on the in the northeast corner of the property.

**UDO:** Listed below are minimum requirements for Inert debris reclamation as stipulated within the UDO.

*Note 13. Inert Debris Reclamation.* Inert debris reclamation shall be a special use in AR, LI, and HI districts provided the following conditions are met:

- (1) Must be issued a permit from the North Carolina Department of Environment and Natural Resources.
- (2) Must be one hundred (100) feet from any property line.
- (3) Must be three hundred (300) feet from any residence.
- (4) Must be one hundred (100) feet from any well unless it is a monitoring well.
- (5) Must be fifty (50) feet from all perennial streams and rivers.
- (6) Must be twenty-five (25) feet from any swales and berms for firefighting.
- (7) Access to the reclamation site shall be gated.
- (8) Facility must be enclosed by a non-climbable fence at least six (6) feet in height.
- (9) Access to the facility must be constructed with some non-dust producing material.
- (10) No reclamation site shall be permitted in the 100-year flood plain.
- (11) A sign must be posted at the entrance to the facility displaying the name of the facility, hours of operation, phone number, and contact person.
- (12) Facility must be classified as a \*type 1 facility according to the state guidelines.
- (13) Facility must be monitored by an employee during operational hours.
- (14) Type 1 facilities may receive silvicultural waste, untreated and unpainted wood waste, or any combination thereof.
- (15) Mulched material shall be rotated every fourteen (14) days.
- (16) Raw material shall be removed or mulched within ninety (90) days of locating on the property.
- (17) The developer shall obtain a performance bond from a bonding company authorized to do business in North Carolina. The bond shall be in an amount equal to one hundred and twenty-five percent (125%) of the cost to remove all material and return the site to its original condition. -or- The developer shall deposit cash, cashier's check, or irrevocable letter of credit, in an amount equal to one hundred and twenty-five percent (125%) of the cost to remove all material and return the site to its original condition.

## SPECIAL USE PERMIT CHECKLIST

In order to issue a Special Use Permit, the Board shall consider each of the following conditions, and based on the evidence presented at the hearing(s) make findings of fact in regards to each and must find that the issuance of the Special Permit is in the best interest of the County.

- (A) The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety and general welfare;

Yes\_\_\_ No\_\_\_

- (B) The use or the development complies with all required regulations of this Unified Development Ordinance and all applicable specific standards and regulations;

Yes\_\_\_ No\_\_\_

- (C) The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity;

Yes\_\_\_ No\_\_\_

- (D) The use or development conforms with general plans for the physical development of the County's planning jurisdiction as embodied in this chapter, the Franklin County Comprehensive Development Plan, or other development policies as adopted by the Board of Commissioners;

Yes\_\_\_ No\_\_\_

- (E) The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts;

Yes\_\_\_ No\_\_\_

- (F) The type, size, and intensity of the proposed use, including such considerations as the hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impact on adjoining properties or the neighborhood;

Yes\_\_\_ No\_\_\_

- (G) Utilities, school, fire, police, and other necessary public and private facilities and services will be adequate to handle the proposed use;

Yes\_\_\_ No\_\_\_

If the Board approves the Special Use Permit, it may, as part of the terms of such approval, impose any additional reasonable conditions and safeguards as may be necessary to ensure that the criteria for the granting of such a permit will be complied with and to reduce or minimize any potentially injurious effect of the use on adjoining properties, the character of the neighborhood, or the health, safety, morals, or general welfare of the community. Where appropriate, such conditions may include requirements that street and utility right-of-way be dedicated to the public and that provisions be made for recreational space and facilities.

## **PLANNING STAFF RECOMMENDED PLANNING BOARD DISCUSSION ITEMS**

Review proposed Special Use request, solicit comments or questions and make a recommendation regarding the special use request.

## **PLANNING STAFF RECOMMENDATION TO THE PLANNING BOARD**

Review proposed Special Use request, solicit comments or questions and make a recommendation regarding the special use request. Should the Planning Board recommend approval of the Special Use request, planning staff would recommend that it be done so with the following conditions:

1. Approval shall be subject to adhering to all other State regulations.