

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

Meeting Date: April 19, 2007

Subject: Grand Highlands at Bear Wallow Mountain (File# 05-M12)
Development Plan Extension

Attachments:

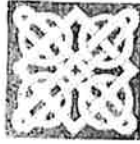
1. Letter Requesting Extension
2. Planning Board Extension Policy

SUMMARY OF REQUEST:

On April 19, 2005 the Planning Board approved a Combined Master Plan and Development Plan for the proposed Grand Highlands at Bear Wallow Mountain (formerly Summerset at Bear Wallow Mountain) major subdivision. The Plan was approved subject to the completion of conditions that were imposed during the Planning Board meeting. Per Section 170-16 C (4), Development Plan approval is valid for two years, however the Planning Board may, for just cause, grant extensions of development plan approval for a maximum of one additional year. On April 5, 2007 Mr. Andy Otten, agent for the project, submitted a letter requesting a one year extension of the Development Plan for unexpected delays in providing utilities to the site.

BOARD ACTION REQUESTED:

Action by the Planning Board is needed to either grant or deny this extension. Such action should be made with consideration of the attached extension policy.



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Mr. Matt Card
Henderson County Planning Department
101 East Allen Street
Hendersonville, North Carolina 28792

April 5, 2007

Dear Mr. Card,

On behalf of Westside Land and Timber Co., Inc., I would like to request a one year extension of the Development Plan for the subdivision Grand Highlands at Bear Wallow Mountain, located in north Henderson County on SR 1594, Bear Wallow Mountain Road. As you are aware, this project has an approved Development Plan for 99 parcels. Westside Land and Timber Co., Inc. is requesting this extension due to unexpected delays in providing utilities to the site.

Thank you for your time and attention to this project. Please feel free to contact me with any questions.

Sincerely,

Andy Otten, RLA

Cc: Scott Shirley – President, Westside Land and Timber Co., Inc.
MDG file

HENDERSON COUNTY PLANNING BOARD POLICY FOR GRANTING SUBDIVISION EXTENSIONS

Statutory Reference: Section 170-16C(4) of the Henderson County Subdivision Ordinance states: "Development Plan approval shall be valid for two years, and such approval shall be annotated on the plan itself and certified by the Subdivision Administrator. The Planning Board may, for just cause, grant extensions of the development approval for a maximum of one additional year."

Policy.

1. The developer should submit in writing a request for an extension, stating the status of the subdivision improvements and the reasons for any delays. The request shall be placed on the agenda for the next scheduled Planning Board meeting.
2. The developer or his/her agent should appear before the Planning Board to answer questions regarding the progress of the development.
3. No extension will be granted unless the developer can demonstrate that a "good faith effort" has been made to develop the property.
4. Property recently developed in an adjacent section of the subdivision, in conformance with the approved Master Plan, may serve as such "good faith effort."
5. A second request for an extension will not be granted unless over fifty percent of the overall development improvements have been completed.