

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY**

**PLANNING BOARD**

**MEETING DATE:** Thursday, October 18, 2007

**ATTACHMENTS:**

1. Letter Requesting Extension
2. Planning Board Extension Policy
3. Combined Master and Development Plan

**SUBJECT:** Request for a one year extension of Development Plan approval for Whisperwood Estates (File #06-M12)

**SUMMARY OF REQUEST:**

April 18, 2006 the Planning Board approved a Combined Master and Development Plan for the Whisperwood Estates major subdivision. Per Section 170-16C (4) of the Subdivision Ordinance, Development Plan approval shall be valid for two years, however, for just cause, the Planning Board may grant extensions of a development plan approval for a maximum of one additional year. On September 19, 2007 Gary Corn, agent for TCB Property Development, LLC, submitted a letter requesting a one year extension for the Combined Master and Development Plan for Whisperwood Estates. The reasons for the requested extension are listed in the attached letter. An extension granted by the Planning Board would begin at the date the Development Plan Approval expired.

**PLANNING 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.

**Suggested Motion:**

I move that the Planning Board find and conclude that the applicant has made a good faith effort to develop this subdivision in accordance with the approval. I further move that the Planning Board approve the request for a one year extension of Development Plan approval.

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# GARY L. CORN, INC.

## PROFESSIONAL LAND SURVEYOR

September 19, 2007

Matt Card  
Henderson County Planning Department  
Hendersonville, N.C.

Mr. Card:

This is a written request for a time extension for the development plan of Whisperwood Estates, which was approved by the Henderson County Planning Board on April 18, 2006.

We are not making any changes to the development plan.

The roads have been graded to finish grade and seeded, and the drainage structures have been installed. We are presently waiting for Duke Power to install the underground power.

Thank you for your consideration in this matter.

Sincerely:



Gary L. Corn, P.L.S.  
Agent for TCB Property Development, LLC

522 FLEMING STREET  
HENDERSONVILLE, N.C. 28739

PHONE (828) 696-9840  
FAX (828) 696-9840  
E-MAIL glcorn@bellsouth.net

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## **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."

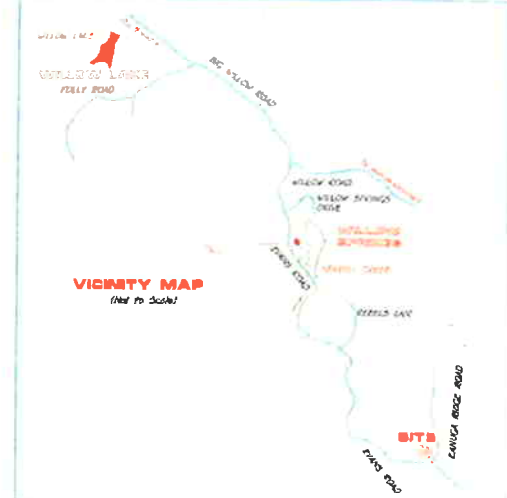
### Policy.

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 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.

**Note:** Please refer to Section 170-16 *Procedure for review of major subdivision, Subsection C (4) of the Subdivision Ordinance.*

RECEIVED  
FEB 17 2006  
By \_\_\_\_\_

ELROY C. CONRAD REVOCABLE TRUST  
ELROY C. CONRAD, TRUSTEE  
DEED BOOK 1060, PAGE 566  
Parcel Identification Number 9547-20-6595



LEGEND

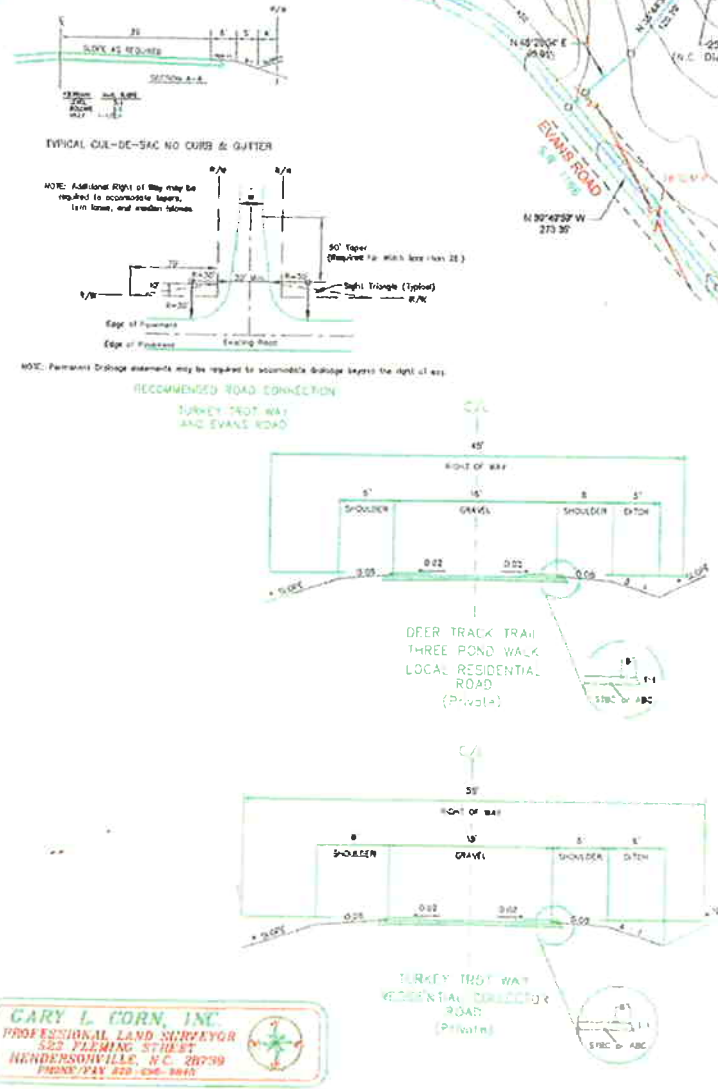
- = Iron Pin Set
  - = Unmarked Point (unless otherwise noted)
  - = Poles or Utility Poles
  - = Proposed Culvert  
18" Diameter (minimum)  
30' Length (minimum)
- KANUGA CONFERENCE  
DEED BOOK 674, PAGE 538  
Parcel Identification Number 9548-37-7342
- NOTE: THE PROPERTY SHOWN IS NOT LOCATED IN A 100 YEAR FLOOD ZONE  
PROJECT SUMMARY FOR "WHISPERWOOD ESTATES"  
TOTAL PROJECT AREA IN ACRES = 47.40 AC  
ACRES IN DIFFERENT LAND USES:
- |   |
|---|
| 38.60 AC DEVELOPED                        |
| 5.78 AC RIGHTS OF WAY                     |
| 3.02 AC OPEN SPACE                        |
| 30 RESIDENTIAL LOTS                       |
| MINIMUM LOT SIZE IN SQUARE FEET = 40,011  |
| MINIMUM LOT SIZE IN SQUARE FEET = 118,005 |
| LENGTH OF PROPOSED PRIVATE STREETS        |
- TURKEY TROT WAY = 1212 FEET  
DEER TRACK TRAIL = 678 FEET  
THREE POND WALK = 1055 FEET
- WATER SYSTEM = INDIVIDUAL  
SEWER SYSTEM = INDIVIDUAL  
CURRENT ZONING = R-40
- Setbacks:
- From major streets=75ft
  - From all other streets=80ft
  - From side yards=35ft
  - From rear yard=35ft
- FIRE DISTRICT = VALLEY HILL  
LOCATION OF WATER SUPPLY POINT FOR FIRE PROTECTION-PONDS ON PROPERTY

MASTER AND DEVELOPMENT PLAN FOR  
**WHISPERWOOD ESTATES**

TCB PROPERTY DEVELOPMENT, LLC.  
JOHN L. PACE (CONTACT PERSON)  
1310 N. MAIN ST.  
HENDERSONVILLE, N.C. 28792  
(OWNER & DEVELOPER)  
DEED BOOK 1204, PAGE 585  
Parcel Identification Number 9547-30-3145  
DEED BOOK 1204, PAGE 586  
Parcel Identification Number 9547-30-7269

CRAB CREEK TWP HENDERSON COUNTY, N.C.

FEBRUARY 5, 2006



GARY L. CORN, INC.  
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523 FLEMING STREET  
HENDERSONVILLE, N.C. 28759  
PHONE: 704/225-8885  
FAX: 704/225-8885