

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY

TECHNICAL REVIEW COMMITTEE

MEETING: September 28, 2016

SUBJECT: Special Use Permit for Campground

PRESENTER: Toby Linville

ATTACHMENTS: Staff Report

SUMMARY OF REQUEST: SUP-16-04 for Foggy Bottom Campground

SUGGESTED MOTIONS:

I recommend approval of special use permit 16-04 because the proposed use will:

- a. Not materially endanger the public health, safety or welfare;
- b. Not substantially injure the value of property or improvements in the area; and
- c. Be in harmony with the surrounding area.



Henderson County, North Carolina Code Enforcement Services

1. Committee Request

- 1.1. **Applicants Preston and Lori Allman request a special use permit for a Campground in the Residential Three district**
- 1.2. **Request:** Major Site Plan Review
- 1.3. **PIN:** 9525499441
- 1.4. **Size:** 12.34 acres +/-
- 1.5. **Location:** 23 Coral Cove Ln
- 1.6. **Supplemental Requirements:**

SR 4.3. Campground

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Size. No *campground* located on/adjacent to a *residential zoning district* shall contain more than 200 campsites. Individual campsites shall be a minimum of 500 square feet.
- (4) Perimeter Setback. Fifty (50) feet.
- (5) Common Area. A *common area* shall be provided, that is equivalent in square footage to 25 percent the total square footage in: campsites, *structures* on site, parking areas and *driveways*. *Common area* shall be accessible for the *use* and enjoyment of *campground* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
- (6) Operations. The *campground*:
 - a. May contain *structures* ancillary to the use; and
 - b. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs.
- (7) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 95 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (8) Common Area Recreation and Service Facilities. Those facilities within the *campground* shall be for the sole purpose of serving the overnight guests in the *campground*, and shall adhere to the development standards established therefore in SR 4.6 (*Common Area Recreation and Service Facilities*).

Pictometry/Aerial Photography

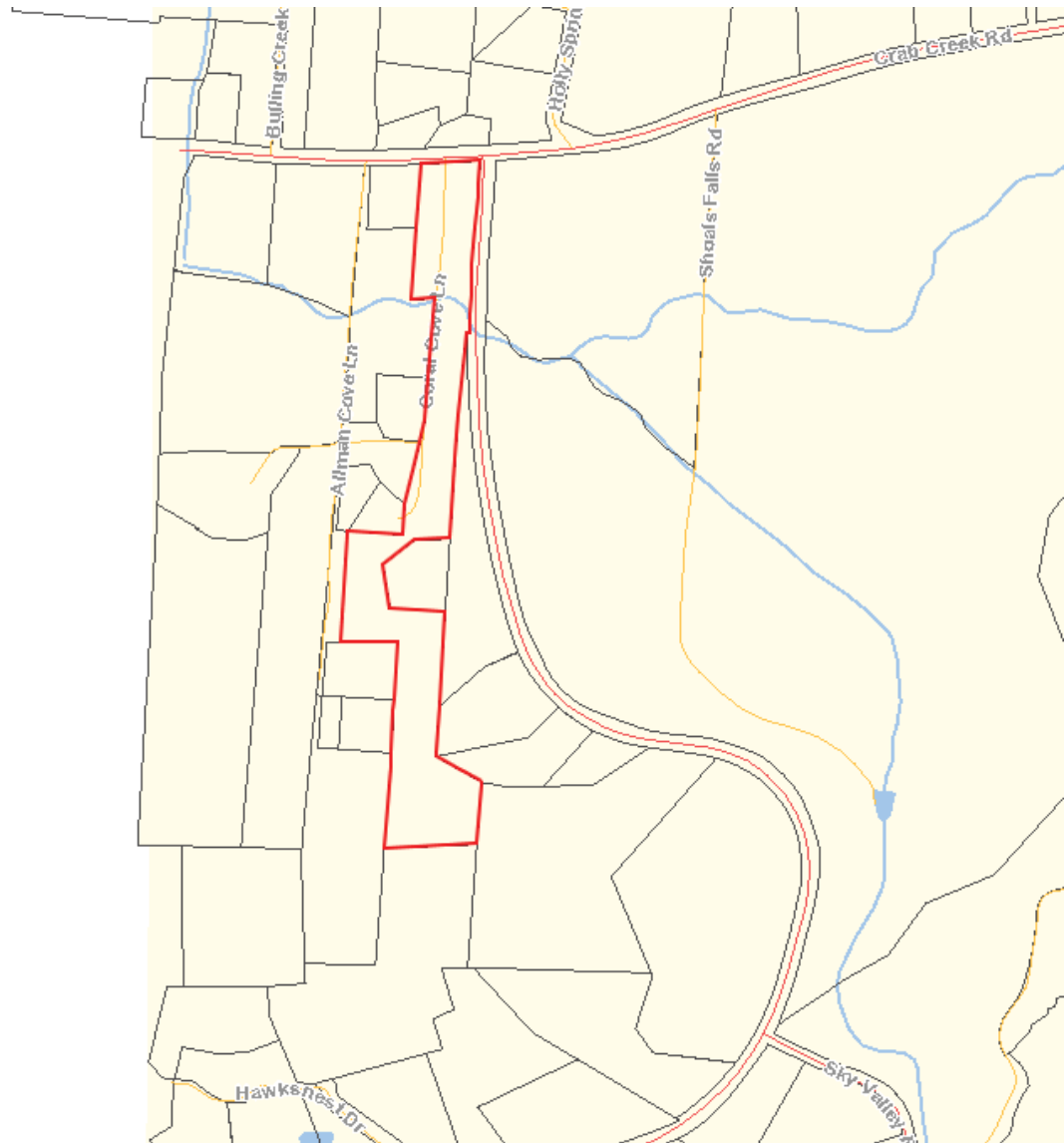


2. **Current Conditions**

Current Use: This parcel is currently mixed use (retail/residential/agricultural).

Adjacent Area Uses/Zoning: The surrounding properties are residential and agricultural. All adjoin properties are zoned Residential 3.

Map B: Current Zoning



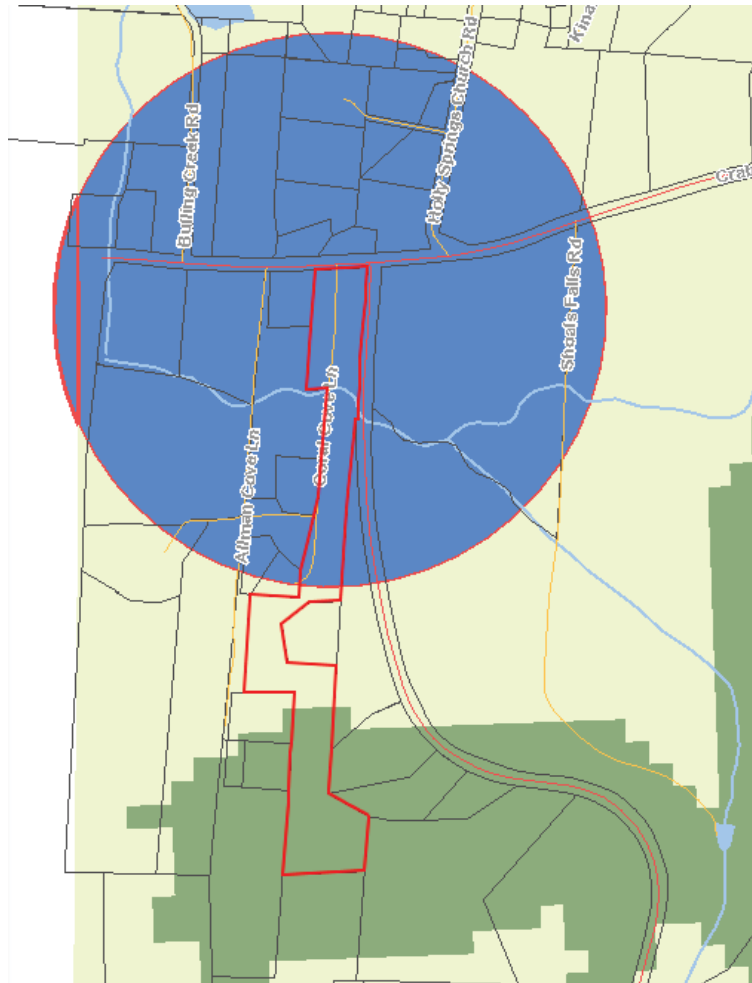
3. **Floodplain /Watershed Protection** The property is not located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.

4. **Water and Sewer** This property is NOT served by public water and sewer.

Public Water: N/A

Public Sewer: N/A

Map C: CCP Future Land Use Map



5. Comprehensive Plan

The 2020 CCP: The CCP Future Land Use Map defines the area as a community service center. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

Community Service Centers:

Community Service Centers are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas. *Community Service Centers* are appropriate for a mixture of commercial uses scaled to the service area in question; residential uses of varying densities depending upon available services; and *Community Facilities* such as schools, parks, community centers, and other similar *Community Facilities*. The mixture and intensity of land uses contained within *Community Service Centers* are intended to be appropriate within the context of the surrounding community and intended service area. *Community Service Centers* should also be properly controlled by appropriate aesthetic standards, access management standards, and other appropriate development control measures.

6. Staff Recommendations

Staff's Position at this time, under the guidelines of current plans, policies and studies, is to approve the Major Site Plan and recommend approval of the special use permit because it is consistent with the current surrounding land uses and future land use recommendations.

7. **Photographs**







2016/08/17
15:28





2016/08/17
15:30



2016/08/17
15:31



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15:31





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15:33











POWER OF ATTORNEY

Know all people by these presents that William + Lois McCall (Property Owner) in the County of Henderson, State of North Carolina, City of Hendersonville, do hereby make, constitute, appoint, and authorize the representative(s) listed below as my true and lawful attorney in fact to appear for me and represent me before the planning & zoning board in the County of Henderson in connection with any matters involving the development or permitting of property with the physical address of 23 Coral Cove Ln. and PIN of 9525499441; I grant unto said attorney in fact the full power and authority to appear before the County regarding and the power to develop the property and I hereby authorize the said County to disclose to my attorney in fact all information used by the County in connection with permitting, appearances before staff, boards, or committees, inspections, appeals and other legislative and administrative determinations related to land use. I understand that said attorney cannot appear for me in quasi-judicial proceedings unless s/he is a North Carolina licensed attorney.

I understand that in the event of an adverse decision by either County Board or staff that if this matter is appealed to the North Carolina judicial system, the decision may be changed or unchanged as a result of the appeal.

The specific property which my attorney in fact is authorized to appeal is described as follows: (Address and PIN)

23 Coral Cove Ln., Hendersonville, NC 28766
PIN 9525499441
Penrose

Property Owner(s) must sign and date this Power of Attorney before a Notary Public

Property Owner's name and address <u>William and Lois McCall</u> <u>1665 Womack Rd.</u> <u>Mill Spring, NC 28756</u>	Telephone: <u>828-243-4339</u> Fax number: Email: <u>mccallsfire@yahoo.com</u>
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Witness my hand this the _____ day of _____, 2011

William + Lois McCall
Property Owner(s)

State of NC.
County of Henderson

The foregoing instrument was duly acknowledged before me by William and Lois McCall for the uses and purposes therein expressed.

Witness my hand and seal this the 11th day of August, 2011
My commissioner expires 12/19/2010 (seal)

Andrew McKenna
Notary Public

Representative(s) name and address <u>Preston and Lori Allman</u> <u>246 Coral Cove Ln</u> <u>Penrose NC 28766</u>	Telephone Number: <u>828-697-8441</u> Fax Number: Email: <u>foggybottomfarm14@yahoo.com</u>
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Application No. _____

**HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

GENERAL INFORMATION

Date of Application: AUGUST 16, 2016

Previously Submitted (Circle One): Yes (No)

Date of Pre-Application Conference: _____

Site Plan Attached (Circle One): (Yes) No

Traffic Impact Study Required (Circle One): Yes (No)

SPECIAL USE PERMIT INFORMATION

Type of use to be permitted: CAMPGROUND SR #: _____

Existing Structures or Uses on property: PRODUCE STAND, HOTDOG STAND, FORMER CARWASH, AGRICULTURE

Road System (Circle): Public (Private)

Water System (Circle): (Individual) Community Public (Municipal or County)

Sewer System (Circle): (Individual) Community Public (Municipal or County)

SITE PLAN REQUIREMENTS

If a minor or major site plan is not specifically required, the applicant shall submit a site plan with the following items:

- Dimensions of property.
- Location of existing and proposed structures (including accessory structures), and general use thereof.
- Setbacks of existing and proposed structures from property lines and edge of right-of-way for roads (from centerline of roads for uses located in the R-40, WR, or SW districts).
- Separation of existing and proposed structures from one another.
- Parking and off/on loading areas
- Location of signs (including sign dimensions, height, type of material, lighting).
- Location and dimensions of existing and proposed roads / driveways and their entrance/exits.
- Location of dumpsters.
- Location and general description of any fences, landscaping or other buffering (proposed or existing).

Site plan not to exceed 11 X 17 size. Anything submitted larger than 11 X 17, the applicant must provide 12 copies with the application form.

PARCEL INFORMATION

PIN: 9525-49-9441 Deed Book/Page: 1347/474 Tract Size (Acres): 12.34 AC.

Zoning District: R3 Fire District: VALLEY HILL Watershed: NA Floodplain: NA (ZONE X)

Location of property to be developed: 12.34 AC. ALONG CORAL COVE LANE.

PAST INTERSECTION OF CRAB CREEK ROAD AND DUPONT ROAD.

CONTACT INFORMATION

Property Owner:

Name: WILLIAM MCCALL

Phone: _____

Address: 1165 WIMBACH RD.

City, State, and Zip: MILL SPRING, NC 28756

Applicant:

Name: LORI ALLMAN

Phone: 828.297.8441

Address: 266 CORAL COVE LN. City, State, and Zip: PENROSE, NC 28766 Application No. _____

Agent:

Name: _____ Phone: _____

Address: _____ City, State, and Zip: _____

Agent Form (Circle One): Yes No

Plan Preparer:

Name: SITWORK STUDIOS Phone: 225 4945 X103

Address: 352 DEPOT STE. 120 City, State, and Zip: ASHEVILLE, NC 28801

STANDARDS FOR REVIEW

The Land Development Code imposes the following GENERAL REQUIREMENTS on the use requested by the applicant. Under each requirement, the applicant should explain, where applicable, how the proposed use satisfies these requirements:

- A. General Requirement #1: The use will not materially endanger the public health, safety or welfare:

SEE ATTACHED FOR RESPONSES.

- B. General Requirement #2. The use will not substantially injure the value of property or improvements in the area.

- C. General Requirement #3. The use will be in harmony with the surrounding area.

The Land Development Code also imposes the following SPECIFIC REQUIREMENTS on the use requested by the applicant. The applicant should be prepared to demonstrate that satisfactory provisions have been made for the following, where applicable.

The proposed use shall be located and developed in such a manner as to:

- a. Comply with all applicable local, state and federal statutes, ordinance and regulations.

- b. Be in accordance with the Comprehensive Plan, Long Range Transportation Plans and Comprehensive Transportation Plans of the county and/or Long Range Transportation Plans and comprehensive Transportation Plans of nay municipality of the County.

Application No. _____

- c. Minimize the effects of noise, glare, dust, solar access and odor on those persons residing or working in the neighborhood of the proposed use.

- d. Minimize the environmental impacts on the neighborhood including the following groundwater, surface water, wetlands, endangered/threatened species, archeological sites, historic preservation sites and unique natural areas.

Show that satisfactory provision/arrangement has been made (where applicable or required) concerning:

- a. Ingress and egress to property and proposed structures thereon (with particular reference to automotive/pedestrian safety/convenience and traffic flow/control).

- b. Off-street parking and loading areas.

- c. Utilities (with particular reference to locations, availability and compatibility).

- d. Buffering and landscaping (with particular reference to type, location and dimensions).

- e. Structures (with particular reference to location, size and use).

I certify that the information shown above is true and accurate and is in conformance with the Land Development regulations of Henderson County.

LOKI ALLMAN

Print Applicant (Owner or Agent)

[Signature]

Signature Applicant (Owner or Agent)

9 Aug 2016

Date

County Use Only

Fee: \$ _____ Paid: _____ Method: _____ Received by: _____

Authority to grant the requested permit is contained in the Land Development Code, Sections: _____

Community Planning Area: _____

Henderson County Standards for Review
Special Use Permit

- A. General Requirement #1: The campground will not materially endanger the public health, safety or welfare in that the use is very low- density/ low-intensity. There are few structures being built on the property and they will be built to code. The existing road (Coral Cove Lane) will be improved during the implementation of the campground plan and access for the adjacent property owners will remain open and improved.
- B. General Requirement #2: The campground will not substantially injure the value of property or improvements in the area. The surrounding properties are single family homes and farmland. The campground will be run seasonally and the structures and campsites are situated on the land within the 50' perimeter buffer adjacent to residences, except where separated by a road. The higher elevation land will be accessed for hike-in only remote campsites and hiking trails, thus preserving the views from across the valley and preserving existing vegetation at the ridge on the property.
- C. General Requirement #3: The use of the campground will be harmony with the surrounding area because in addition to the campground, the property will still be used as an active farm. When there are no campers, the property will largely appear as it is now – rural and agricultural.

Land Development Code Specific Requirements

- a. The campground will comply with all applicable local, state and federal statutes, ordinances and regulations. The property is being developed to meet setback regulations, solid waste management and screening, landscaping, parking, ADA compliance and lighting regulations. The restrooms and showers will be coordinated and permitted through Henderson County Environmental Health.
- b. The project is in accordance with the Henderson County Comprehensive Plan by developing away from the creek (only hammock camping is allowed in the existing maple groves), utilizing the existing roadway and culvert on the property, concentrating the campsites on the less steep areas of the site thereby preserving the steep slopes and mountain ridge. The campground will support the recreation opportunities in Henderson County by providing a camping area for bikers leaving Dupont State Park and others visiting the area. The campground will utilize an existing private road and will not generate any significant traffic along the adjacent road system.
- c. The proposed campground will minimize the effects of noise, glare, dust, solar access and odor on the surrounding area by providing a dumpster location by the existing commercial uses on Crab Creek Road; by providing lighting mitigation as required by code; and by implementing a reasonable night curfew for campground users.

- d. The campground is utilizing the existing maple grove stands for hammock camping. The maples were planted for nursery stock but were never separated. The area is very unique and will provide campground users a special experience. The campground will handle all of its run-off appropriately prior to reaching Crab Creek. The roads will be gravel and not asphalt thus reducing the impervious surface run-off. There does not appear to be any threatened species, wetlands or archaeological sites on the property.

Provisions considered:

- a. The property will utilize the existing road (Coral Cove Lane) and provide a 20' wide driveway to the upper camping sites. The driveway is a loop road which will provide access for fire and emergency vehicles.
- b. Ample off-street parking is provided. There is little need for loading space as many of the parking spaces will be available for this use.
- c. Existing well and septic will be investigated and determined for utilization. There are two bath locations anticipated to use the existing septic system in place. The 300' deep well is anticipated to provide water service for the campground.
- d. There is no buffer required however, the 50' perimeter setback for this use will provide a significant buffer for most adjacent property owners.
- e. The structures on the site are existing structures (bike wash and camp store), bath houses or covered gathering spaces for the campground. The bath buildings are of a reasonable size and outside the 50 foot perimeter setbacks. The covered pavilions and picnic shelters are of a size compatible with what one would find at a single family residential dwelling.