

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY

TECHNICAL REVIEW COMMITTEE

MEETING: April 27, 2016

SUBJECT: Major Site Plan Review for James Woods

PRESENTER: Toby Linville

ATTACHMENTS: Staff Report

SUMMARY OF REQUEST: Major site plan review

SUMMARY OF REQUEST:

The applicant is requesting a Special Use Permit to allow him to use this property for a small place of assembly for wedding receptions and other gatherings.

Staff requests that the TRC review the application and make a decision based on evidence presented for this project.

Suggested Motion:

I move to approve/deny SUP-16-02 because it meets/does not meet the requirements of special use permit approval:

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.**

Additionally the *applicant* may be required, in his/her rebuttal, to show that the proposed *use* shall be located and developed in such a manner as to:

- a. Comply with all applicable local, state and federal statutes, ordinances 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 any municipality of the County;**
- 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*; and**
- 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***



**Henderson County, North Carolina
Code Enforcement Services**

1. Committee Request

- 1.1. **Applicant:** James T. Woods III
- 1.2. **Request:** Special Use Permit for Small Place of Assembly
- 1.3. **PIN:** 9681976750
- 1.4. **Size:** 8.39 acres +/-
- 1.5. **Location:** The subject area is located across from 1756 Green Mountain Rd
- 1.6. **Supplemental Requirements:**

SR 5.17. *Place of Assembly, Small*

- (1) Site Plan. Major *Site Plan* required in accordance with §200A-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Structure. A *structure* shall be designed to accommodate a minimum of 40 and a maximum of 499 persons.
- (4) Perimeter Setback. Fifty (50) feet.

Map A: Pictometry/Aerial Photography



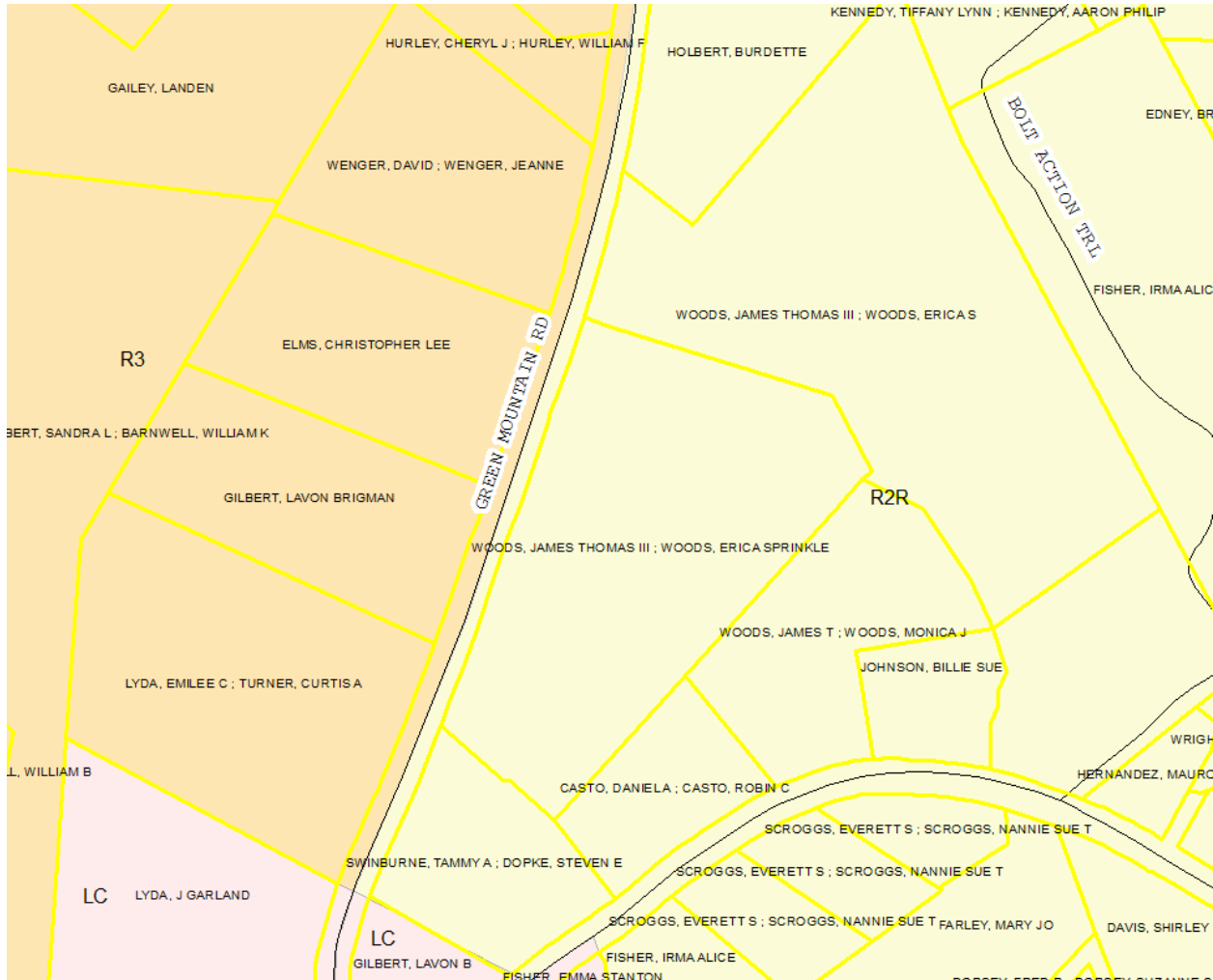
2. Current Conditions

Current Use: This parcel is currently in Agricultural use

Adjacent Area Uses: The surrounding properties consist of mixed residential and agricultural uses.

Zoning: The surrounding properties are zoned Residential Two Rural (R2R) to the east and Residential Three (R3) to the west.

Map B: Current Zoning



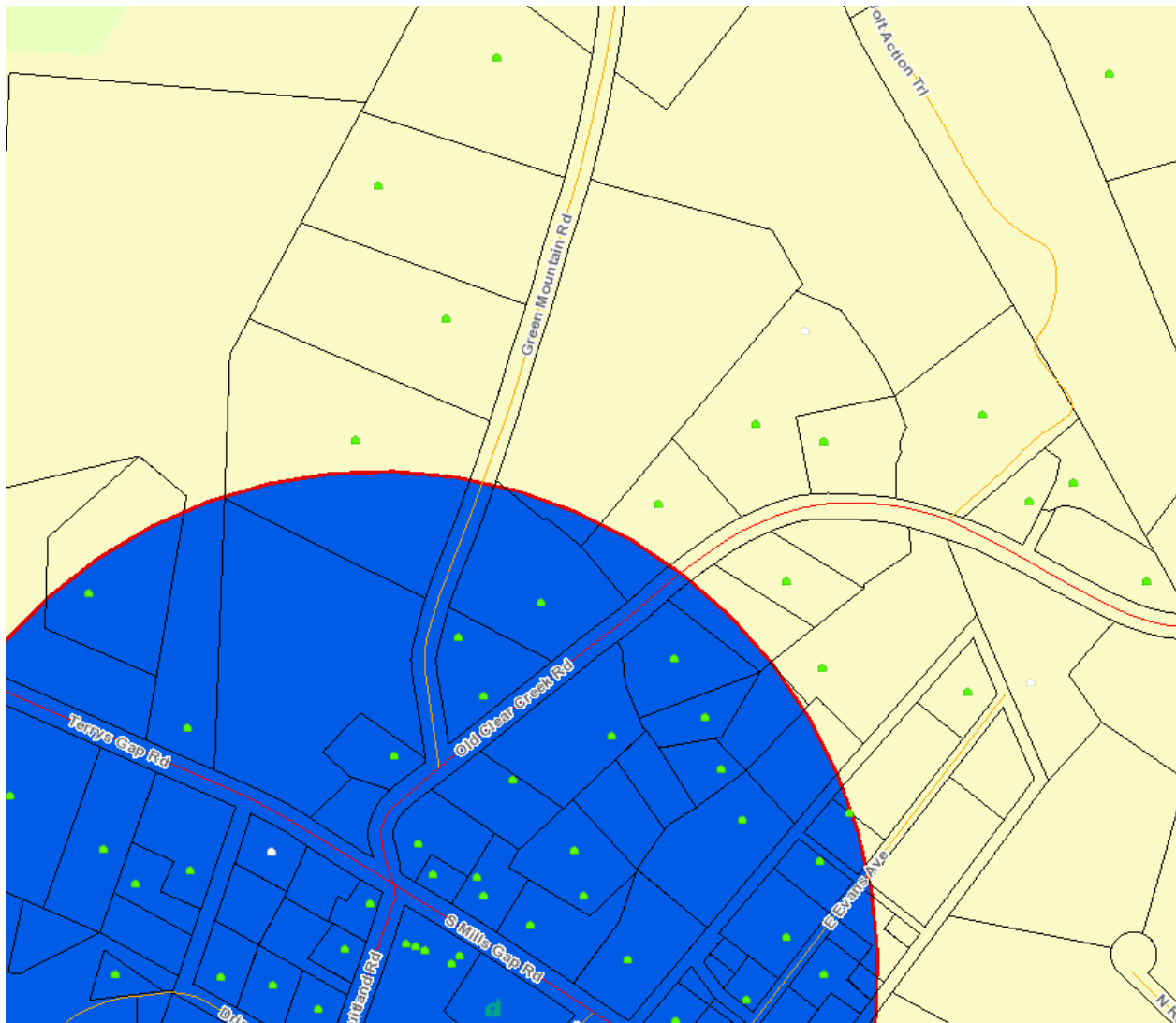
3. Floodplain /Watershed Protection The property is not located in a Special Flood Hazard Area. The parcel is not located in a Water Supply Watershed district.

4. Water and Sewer This property will be served by private water and septic.

Public Water: not available

Public Sewer: not available

Map C: CCP Future Land Use Map



5. Comprehensive Plan

The 2020 CCP: The CCP Future Land Use Map places the Subject Area in the “Rural/Urban Transition Area” classification. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development. Slopes vary across the RTA, although the area can be considered to be generally developable. The primary factor preventing urban development in the RTA is the absence of sewer and water service. The RTA will continue to experience extensive development over the operational timeframe of this Comprehensive Plan.

6. Staff Recommendations

The Technical Review Committee voted to recommend approval of the project to the Board of Adjustment and approved the site plan for the project.

7. Photographs



2016/03/22
10:22



2016/03/22
10:22



2016/03/22
10:22



2016/03/22
10:22

Application No. _____

**HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

GENERAL INFORMATION

Date of Application: 2/29/14
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: Residential Dwelling, Farm Tours, wedding venue SR #: _____
Existing Structures or Uses on property: None
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: 9681976750 Deed Book/Page: 1432/31 Tract Size (Acres): 8.39
Zoning District: 4 Fire District: Edneyville Watershed: Clear Creek Floodplain: No
Location of property to be developed: Green Mountain Road

CONTACT INFORMATION

Property Owner:

Name: James T. Woods III Phone: 828-243-4157
Address: 155 Old Clear Creek Rd. City, State, and Zip: Hendersonville, NC 28792

Applicant:

Name: James T. Woods III Phone: 828-243-4157
jammie.woods@ncfbins.com

Address: Same City, State, and Zip: _____ Application No. _____

Agent:

Name: _____ Phone: _____
Address: _____ City, State, and Zip: _____
Agent Form (Circle One): Yes No

Plan Preparer:

Name: Waggoner & Rhodes Phone: 828-693-1022
Address: 545 S. Grove St. City, State, and Zip: Hendersonville NC 28792

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 ALL)

- 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.

James T. Woods III

Print Applicant (Owner or Agent)

James T. Woods III
Signature Applicant (Owner or Agent)

2/29/16

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: _____

Standards for Review

- A. The new structure will be built to a minimum of all current National, State and Local Building Codes. All planned uses of the facility are planned to be low risk events such as weddings, conferences and such. No facilities will be built that will be considered any sort of risk to the public.
- B. All structure for the facility will be built to be at a minimum similar construction to the surrounding structures and will have similar aesthetic appearance and value as the surrounding structures. The structure will be built in a very similar appearance and structure to all surrounding structures and will be enhance the surrounding property values.
- C. The facility will be constructed in a very similar manner to all surrounding structures and will fit the local farming and rural surroundings. The elevations of the structure will have the appearance of a high end barn like facility used for weddings and conferences that meet all local sound ordinances and building codes.

Land Development Code Specific Requirements

- A. The new structure will be built to a minimum of all current National, State and Local Building Codes. The intended use will be for maintaining a facility that has a planned use of holding conferences, weddings and special events that fit within all legal obligations and take the local public and surrounding property rights into consideration.
- B. The site location remains off of a local rural road that will see minor traffic increase during events. Typically 50-150 vehicle increases for arrival and departure. These vehicles will predominantly arrive at the site for the event and depart after the event. There will be little to no in and out traffic for events. All parking will be located within the legal boundaries of the subject property and outside in state road or utility right of ways.
- C. The subject property will be located in a relatively rural area and be built with ample distance from other local structures. All lighting installations will be installed with glare reduction devices. Parking will be built using standard grade ABC Road Bond gravel and sit within the property with speed regulations to keep dust to a minimum during dry periods. All sound systems will be kept within the structure or volumes that are consistent with local regulations.
- D. All local, State and Federal codes for environmental compliance will be followed for construction and operation.

Satisfactory Provision

- A. The site location remains off of a local rural road that will see minor traffic increase during events. Typically 50-150 vehicle increases for arrival and departure. These vehicles will predominantly arrive at the site for the event and depart after the event. There will be little to no in and out traffic for events.
- B. All parking will be located within the legal boundaries of the subject property and outside in state road or utility right of ways.
- C. All utilities will be installed per Local regulations:

- a. Water and wastewater will follow the plans developed in conjunction with Henderson County Environmental Health and will be maintained locally on the subject property using onsite well and septic.
 - b. All power, phones, cable and gas will be installed using standard underground installation practices used by the utility of choice.
- D. Landscaping will be installed to match the rural styling of the construction, see site plan plot.
- E. Structures will be located as per plot and attached drawings.

PLAT OF SITE PLAN FOR
JAMES THOMAS WOODS III
AND WIFE,
ERICA S. WOODS

OWNER/APPLICANT:

JAMES T. WOODS III
155 OLD CLEAR CREEK ROAD
HENDERSONVILLE, NC 28792
PHONE# (828)-243-4157

BEING A SPECIAL EVENTS BUILDING
ON THE REMAINING PROPERTY
DESCRIBED IN DEED BOOK 1432 PAGE 317

CLEAR CREEK TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

MARCH 1st, 2016

I, _____, PROFESSIONAL LAND SURVEYOR,
certify that this plat represents a survey of an existing parcel or
lot and that the same is not subject to a new street or change on
existing street G.S. 47-30 (f) (1) (c)

I, _____, a PROFESSIONAL LAND SURVEYOR,
certify that this plat was drawn under supervision from
an actual survey made under my supervision
(deed description recorded in Book _____, Page _____);
that the boundaries not surveyed are clearly indicated
drawn from information found in Book _____, Page _____;
that the ratio of precision as calculated is 1/_____, G.S. 47-30
as amended. Witness my original signature, registration
number and seal.
this _____ day of _____, A.D., 20 _____.

PROFESSIONAL LAND SURVEYOR

State of North Carolina
County of _____

I, _____, Review Officer of _____ County,
certify that the map or plat to which this certification
is affixed meets all statutory requirements for recording.

Date _____ Review Officer

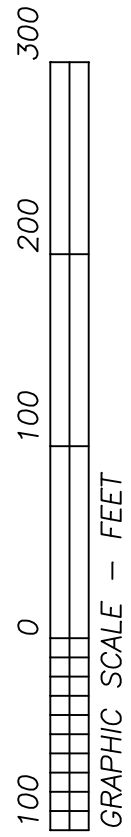
I, _____, SUBDIVISION ADMINISTRATOR for
Henderson Co., certify that this plat has been reviewed and approved as
_____ in accordance with the
Henderson County Subdivision Ordinance.

Date _____ Signed _____

REGISTER OF DEEDS

Filed for registration on the _____ day of _____
at _____ and recorded on plat slide _____

REGISTER OF DEEDS



SCALE 1" = 100'

VICINITY MAP (N.T.S.)

SURVEY BY
STACY KENT RHODES

NC PLS 2959

WAGGONER & RHODES
LAND SURVEYORS, PLLC
NC FIRM #C-1129

545 SOUTH GROVE STREET
HENDERSONVILLE, NORTH CAROLINA 28792
PHONE: (828) 693-1022
FAX: (828) 693-4019

DATE: MARCH 1st, 2016

DRAWN BY: SKR/D/K/S JOB NUMBER: 15-078

REFERENCES:
DEED: D.B. 1432 PG. 317
D.B. 1486 PG. 233

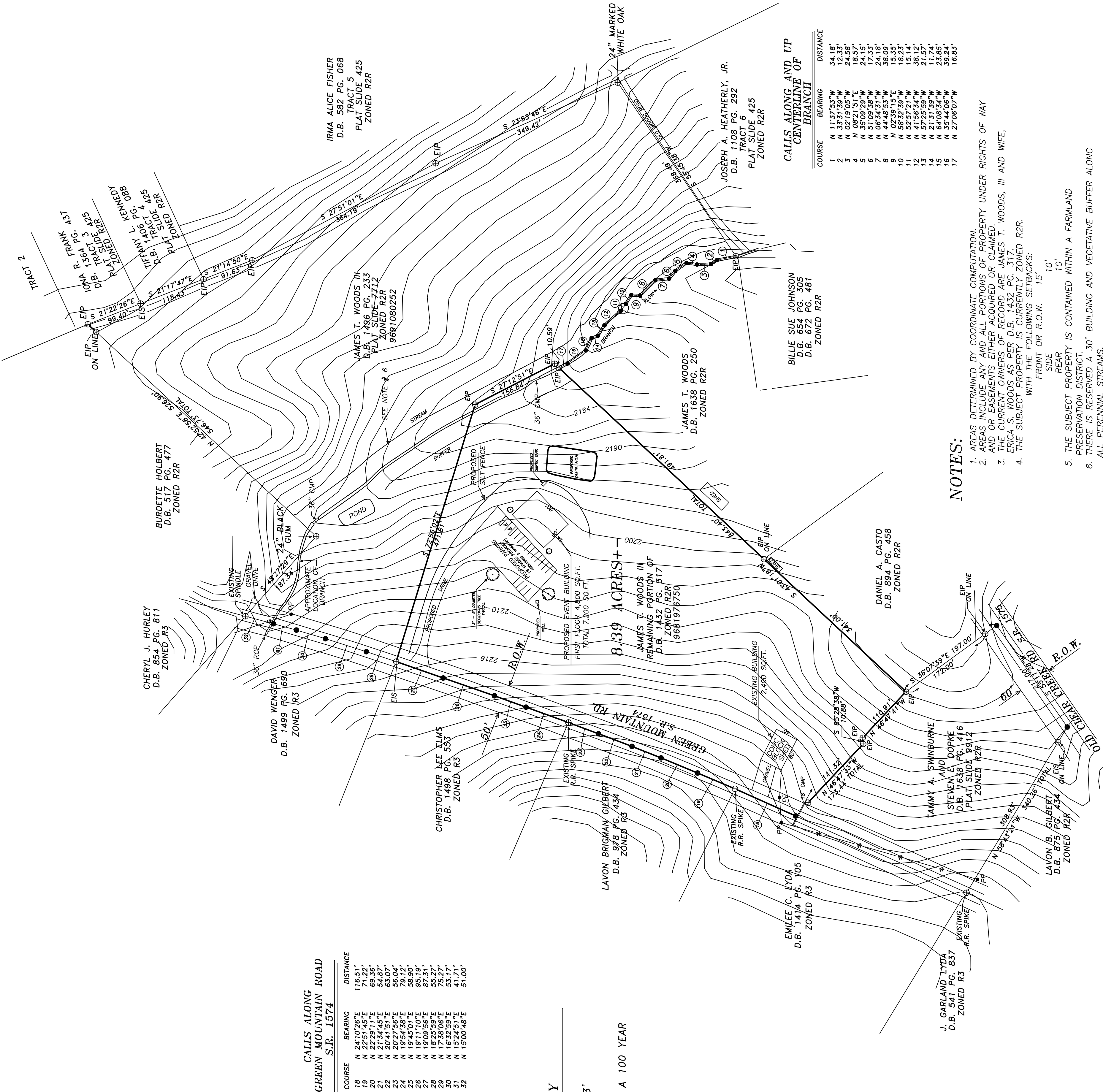
PLAT: PLAT SLIDE 425
PLAT SLIDE 7112
PLAT SLIDE 9812

TAX ID REFERENCE:
9681-97-6750

SCREEN FILE: 15-078

DWG FILE: 15-078

REVISIONS:



CALLS ALONG AND UP
CENTERLINE OF
BRANCH

COURSE	BEARING	DISTANCE
1	N 11:37:53"W	34.18'
2	N 33:31:35"W	12.33'
3	N 02:51:05"W	24.58'
4	N 02:51:05"W	24.58'
5	N 35:09:29"W	24.15'
6	N 51:09:38"W	17.33'
7	N 44:48:53"W	36.09'
8	N 44:48:53"W	36.09'
9	N 02:39:15"E	15.35'
10	N 55:25:35"W	15.23'
11	N 55:25:35"W	15.23'
12	N 41:56:34"W	38.12'
13	N 57:25:58"W	21.57'
14	N 57:25:58"W	21.57'
15	N 64:08:34"W	23.85'
16	N 35:44:06"W	39.24'
17	N 27:06:07"W	16.83'

NOTES:

1. AREAS DETERMINED BY COORDINATE COMPUTATION.
2. AREAS INCLUDE ANY AND ALL PORTIONS OF PROPERTY UNDER RIGHTS OF WAY AND OR EASEMENTS EITHER ACQUIRED OR CLAIMED.
3. THE CURRENT OWNERS OF RECORD ARE JAMES T. WOODS, III AND WIFE, ERICA S. WOODS AS PER D.B. 1432 PG. 317.
4. THE SUBJECT PROPERTY IS CURRENTLY ZONED R2R. WITH THE FOLLOWING SETBACKS:
FRONT OR R.O.W. 15' 10'
SIDE 10'
REAR 10'
5. THE SUBJECT PROPERTY IS CONTAINED WITHIN A FARMLAND PRESERVATION DISTRICT.
6. THERE IS RESERVED A .30' BUILDING AND VEGETATIVE BUFFER ALONG ALL PERENNIAL STREAMS.
7. THE PRESENT OR FUTURE OWNERS OF THIS PROPERTY RESERVE THE RIGHT TO FURTHER SUBDIVIDE THIS PROPERTY AS ALLOWED BY THE HENDERSON COUNTY LAND DEVELOPMENT CODE.
8. THIS PROPOSED BUILDING IS TWO-STORY; UPPER FLOOR IS RESERVED FOR PRIVATE USE.
9. PRIVATE GARBAGE COLLECTION PROVIDED.
10. LIGHTING MITIGATION PROVIDED TO PREVENT LIGHT TRESPASS.
11. WELL & SEPTIC LOCATION TO BE DETERMINED BY HENDERSON COUNTY ENVIRONMENTAL SERVICES.

CALLS ALONG
GREEN MOUNTAIN ROAD
S.R. 1574

COURSE	BEARING	DISTANCE
18	N 24:10:26"E	116.51'
19	N 22:29:11"E	69.36'
20	N 21:34:45"E	54.87'
21	N 20:27:56"E	55.04'
22	N 19:54:28"E	79.12'
23	N 19:45:01"E	58.90'
24	N 19:09:56"E	87.31'
25	N 19:25:59"E	55.27'
26	N 16:32:59"E	53.71'
27	N 15:00:48"E	51.00'

PROJECT SUMMARY

FIRE DISTRICT: EDNEYVILLE
LENGTH OF ROAD FRONTAGE: 763'
SEWER SYSTEM: PRIVATE
WATER SYSTEM: PRIVATE
PROPERTY DOES NOT LIE WITHIN A 100 YEAR
FLOOD HAZARD AREA (SFHA)

LEGEND

- EXISTING CORNER MONUMENT
- AS NOTED
- NEW IRON PIPE SET OR
- AS NOTED
- COMPUTED POINT-NOT STAKED
- CONCRETE MONUMENT
- AS NOTED