

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: October 16, 2019

SUBJECT: Waterline Extension Request – WNC Properties LLC (Etowah Townhomes)

PRESENTER: Autumn Radcliff, Planning Director

ATTACHMENTS:

1. Availability Request Approval
2. Aerial and CCP Map
3. Master Plan
4. SUP-19-04 and V-19-04 Approved ZBA Order

SUMMARY OF REQUEST:

The City of Hendersonville has requested that the County comment on a proposed water line extension to 9 unite townhome development for WNC Properties, LLC in Etowah located off Brickyard Road at the intersection of Norris Road and Holly Springs Road. The proposed water line is 200 linear feet of 6-inch waterline pipe and 1 fire hydrant. The project's location within the Rural/Urban Services Area and the Residential One (R1) zoning district is consistent with the Henderson County 2020 Comprehensive Plan.

The Zoning Board of Adjustment (ZBA) approved the special use permit and variance application for the 9- unit townhome development on May 29, 2019.

BOARD ACTION REQUESTED:

Action by the Board of Commissioners is needed to either grant or deny the requested waterline extension. If the Board decides to approve the extension the following motion has been provided.

SUGGESTED MOTION:

I move that the Board approve the waterline extension request for WNC Properties, LLC and direct staff to convey the County's comments to the City of Hendersonville.

WATER AND SEWER AVAILABILITY REQUEST

Project Name: WNC Properties, LLC Phase/Section:

N/A	N/A
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Property Owner(s): WNC Properties, LLC - Dewey Andrew & Darrell Redmond Submittal Date: April 9, 2019

PIN(s) or PID(s): 9529-52-4218

Submitted By: Nicholas Bowman Phone Number: 828.299.9449

Engineering Firm: Davis CivilSolutions, PA Engineer: Gary D. Davis, PE

Mailing Address: 135-A Charlotte Highway, Asheville, NC 28803

GENERAL INFORMATION -

This is a project to extend existing (**water/sewer**) line(s) to provide service to: (Brief Facility Description)
A proposed 9-unit townhome development located on property owned by the golf course, in Etowah, NC.

Water Project

No. of Lots or Units:

Estimated Demand Per Day: gallons per day

Adjacent Street(s) or Road(s): Brickyard Road, Norris Road, Holly Springs Road

~~Sewer Project~~

No. of Lots or Units:

Estimated Demand Per Day: gallons per day

Adjacent Street(s) or Road(s): Brickyard Road, Norris Road, Holly Springs Road

Does the project require a pump station: Yes No If yes, check one: Proposed Existing

**REVIEW
COMMENTS:**

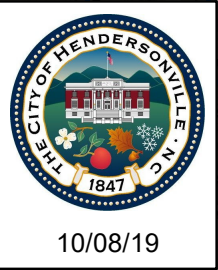
Proposed 200 ft extension of 6" ductile iron pipe and 1 fire hydrant

Sewer Service Provided by Etowah Sewer Company

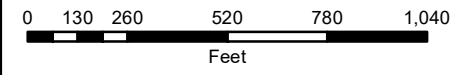
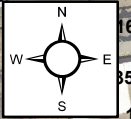
CITY OF HENDERSONVILLE/GOVERNING BODY USE ONLY	
COH Reviewed by: <i>Brendan Shanahan</i>	Date: 10/8/2019
Reviewing Jurisdiction: Henderson County	
Reviewer:	Date:
Approved <input type="checkbox"/> -or- Disapproved <input type="checkbox"/> by the City Council	Date: _____

CITY OF HENDERSONVILLE UTILITY AVAILABILITY WNC RESORT PROPERTIES LLC

**SUBJECT PROPERTY:
WNC RESORT PROPERTIES LLC
470 BRICKYARD RD
PIN:9529524218**

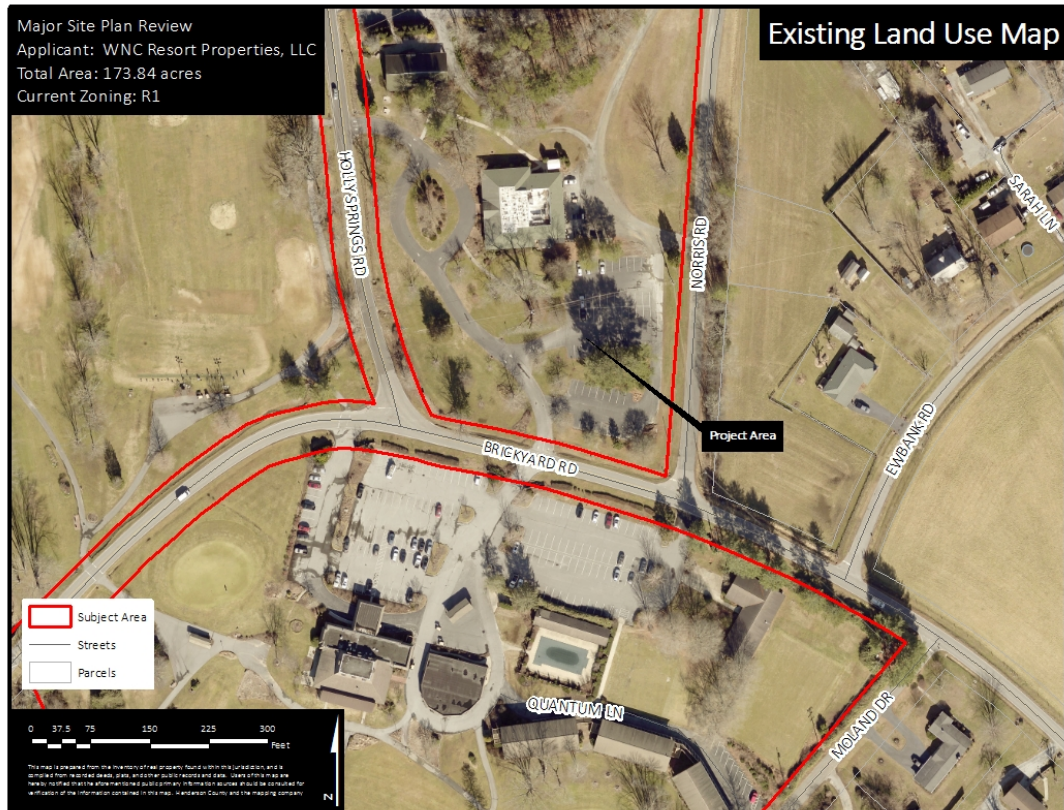
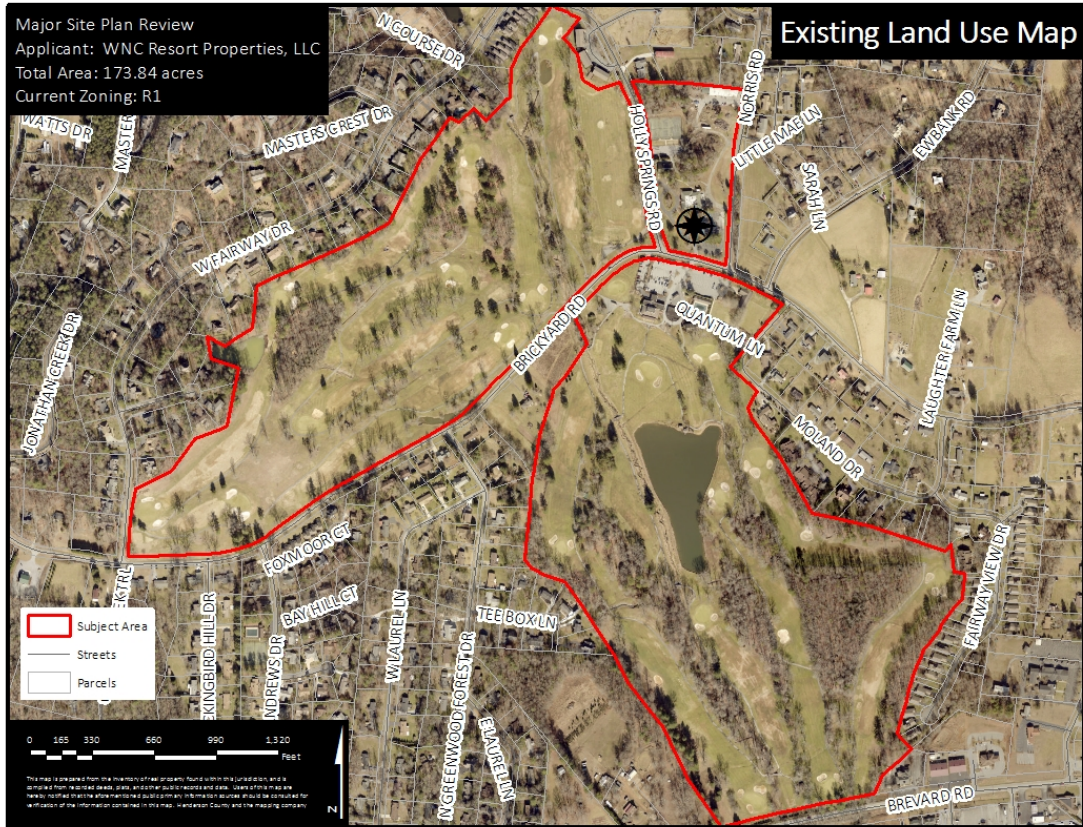


10/08/19

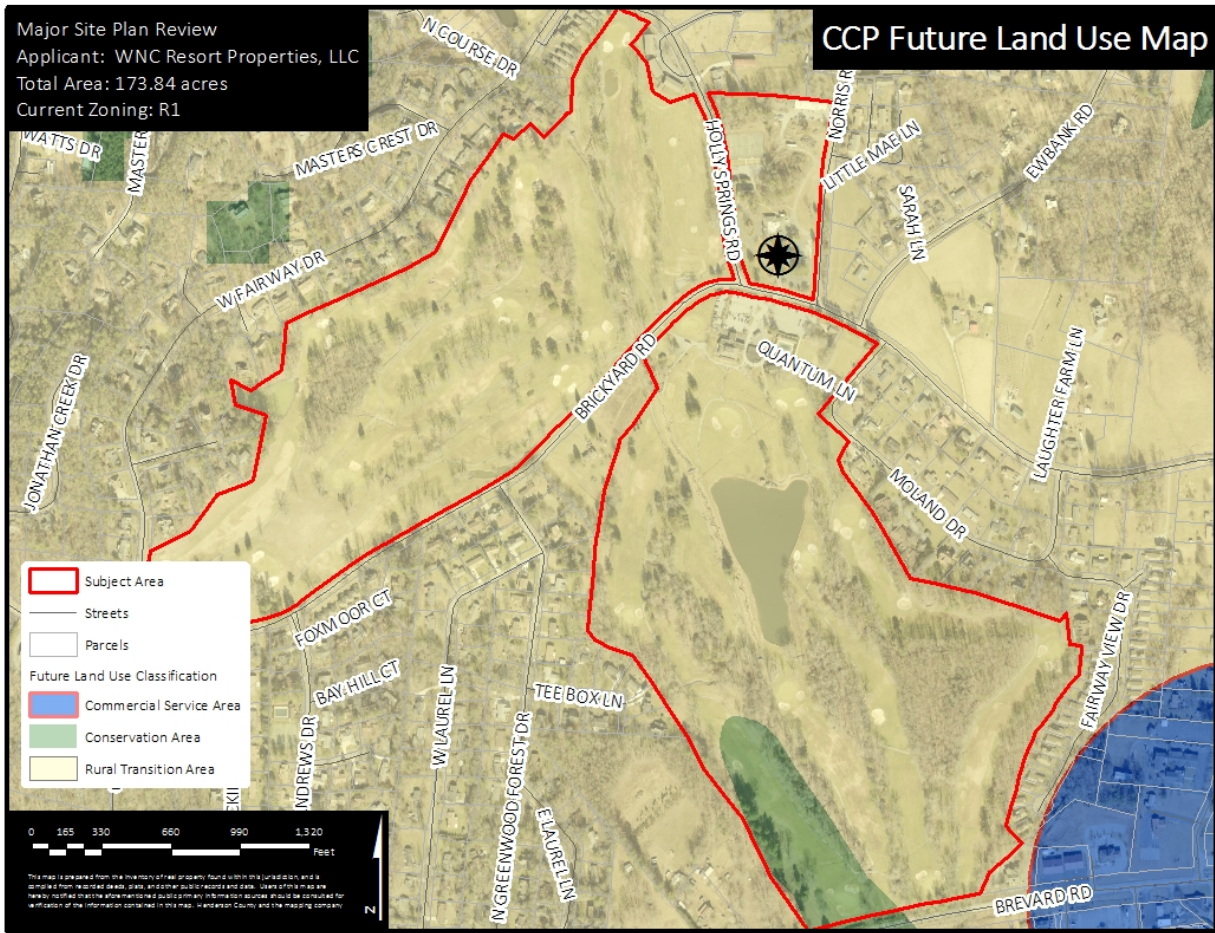


The City of Hendersonville makes every effort to confirm the accuracy of this information; however, it does not warrant or guarantee that any information provided is accurate or current.

Map A: Existing Land Use



Map C: CCP Future Land Use Map



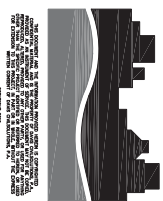
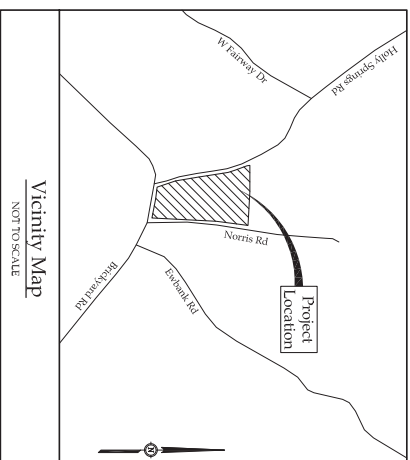
Site Development Plan For

WNC Resort Properties, LLC

HENDERSON COUNTY, NORTH CAROLINA

Index of Drawings

- G1. Cover Sheet
- C1. Existing Conditions
- C2. Layout
- C3. Grading, Stormwater, and Erosion Control
- C4. Utilities
- C5. Utility Profiles
- D1. Details
- D2. Details
- D3. Details
- D4. Details
- D5. Details
- D6. Details
- D7. Details
- D8. Details
- D9. Details
- D10. Details



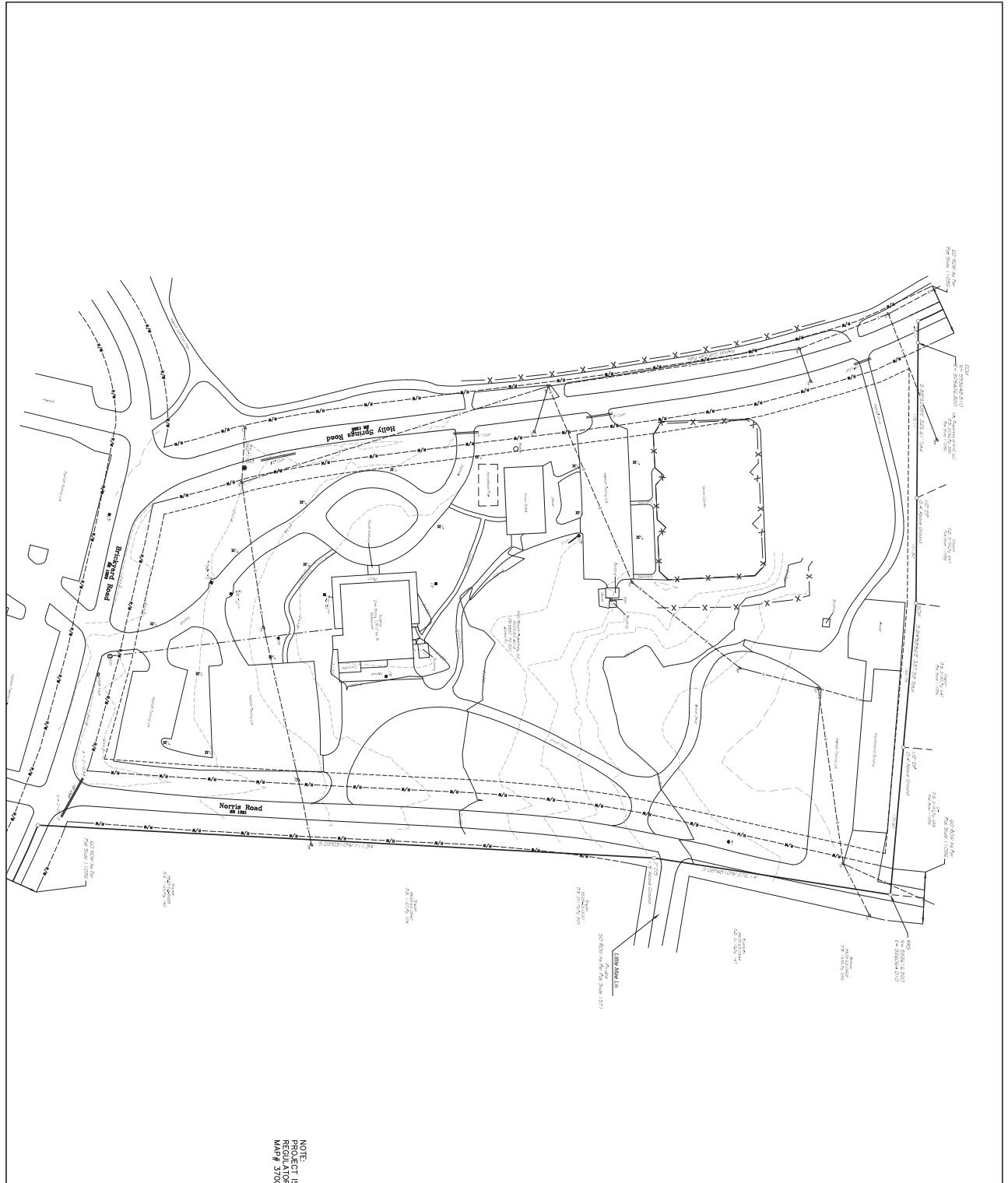
Davis Civil Solutions, PA
 Site/Infrastructure Engineering/Planning
 135-A Charlotte Highway • Asheville, North Carolina 28803
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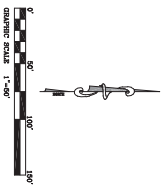
DATE: 04/10/2019

April 10, 2019

Revision	Date	Description



NOTE:
PROJECT IS NOT LOCATED WITHIN
REGULATORY FLOODPLAIN PER FEMA
MAP# 370952900L, PANEL 9529.



DEVELOPMENT DATA BLOCK

CONTRACTOR: WNC RESORT PROPERTIES, LLC

OWNER: WNC RESORT PROPERTIES, LLC

PROJECT: WNC RESORT PROPERTIES, LLC

DATE: 04/10/2019

SCALE: 1"=50'

PROJECT NO.: 19101

DATE: 04/10/2019

REVISION:

Veriflo Map

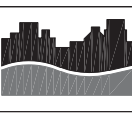
Existing Conditions
Sheet
C1

Job No: 19101
Date: April 10, 2019
Scale: 1"=50'
Revision:

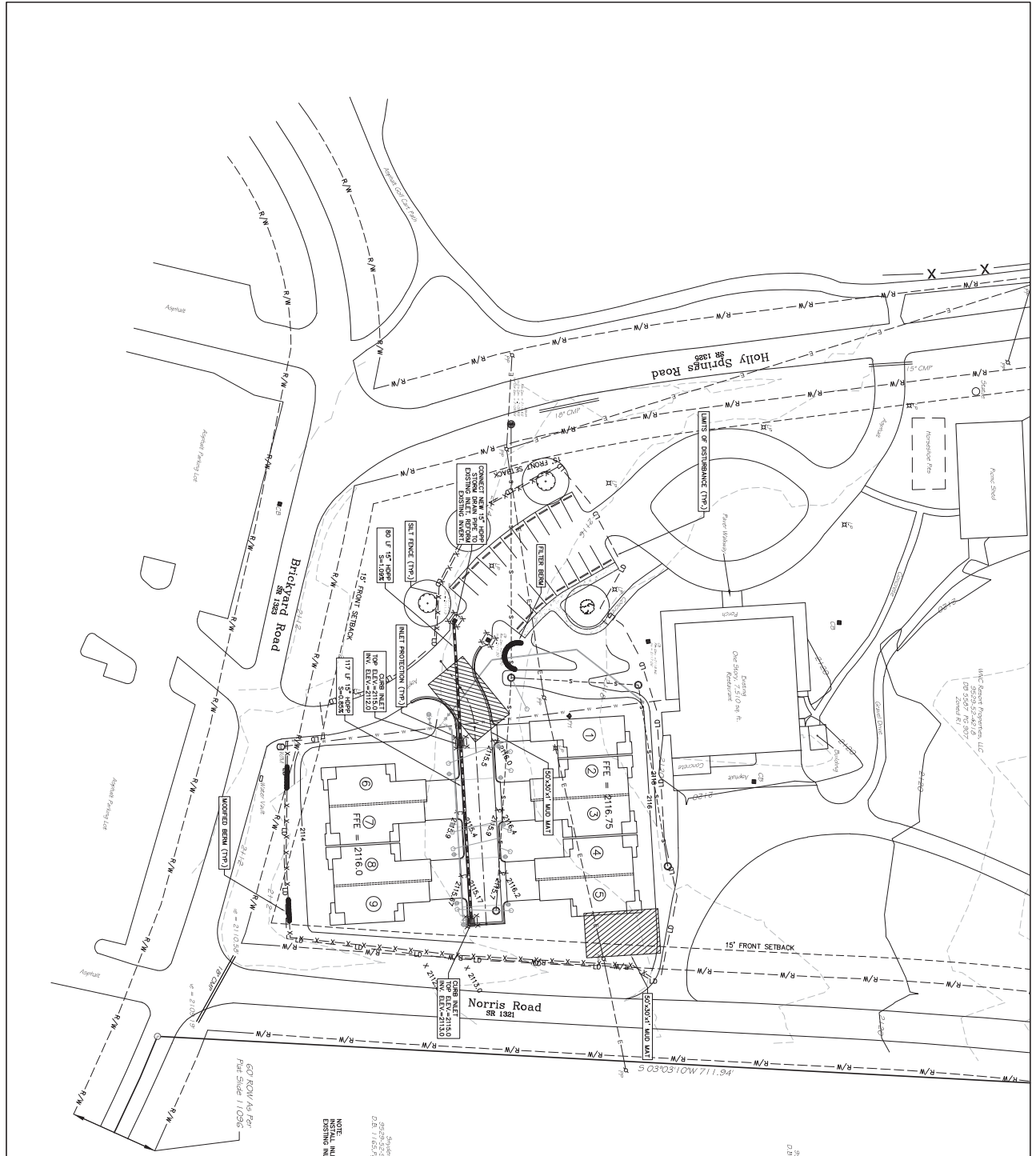
Site Development Plan For
WNC Resort Properties, LLC
HENDERSON COUNTY, NORTH CAROLINA



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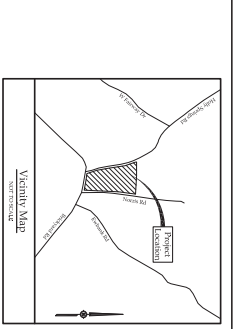
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184 S. Charlotte Highway • Asheville, North Carolina 28803
828.299.9549 FAX www.davis-civil.com



592-292-5262
 D.B. / E.S. / B. / S.O.
 NOTE: ALL INLET PROTECTION AROUND ALL EXISTING INLETS NEAR PROPOSED WORK.

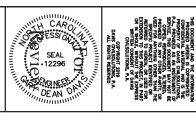
592-292-5262
 D.B. / E.S. / B. / S.O.

<p> THE NUMBER AND LOCATION OF ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE UTILITIES SHOWN ON THIS PLAN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY. THE ENGINEER HAS NOT CONDUCTED A TEST OF ANY UTILITIES SHOWN ON THIS PLAN. THE ENGINEER HAS NOT CONDUCTED A TEST OF ANY UTILITIES SHOWN ON THIS PLAN. THE ENGINEER HAS NOT CONDUCTED A TEST OF ANY UTILITIES SHOWN ON THIS PLAN. </p>	<p> PROJECT NO. 19101 DATE: APRIL 10, 2019 SCALE: 1"=30' REVISION: </p>
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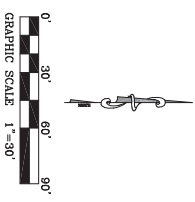
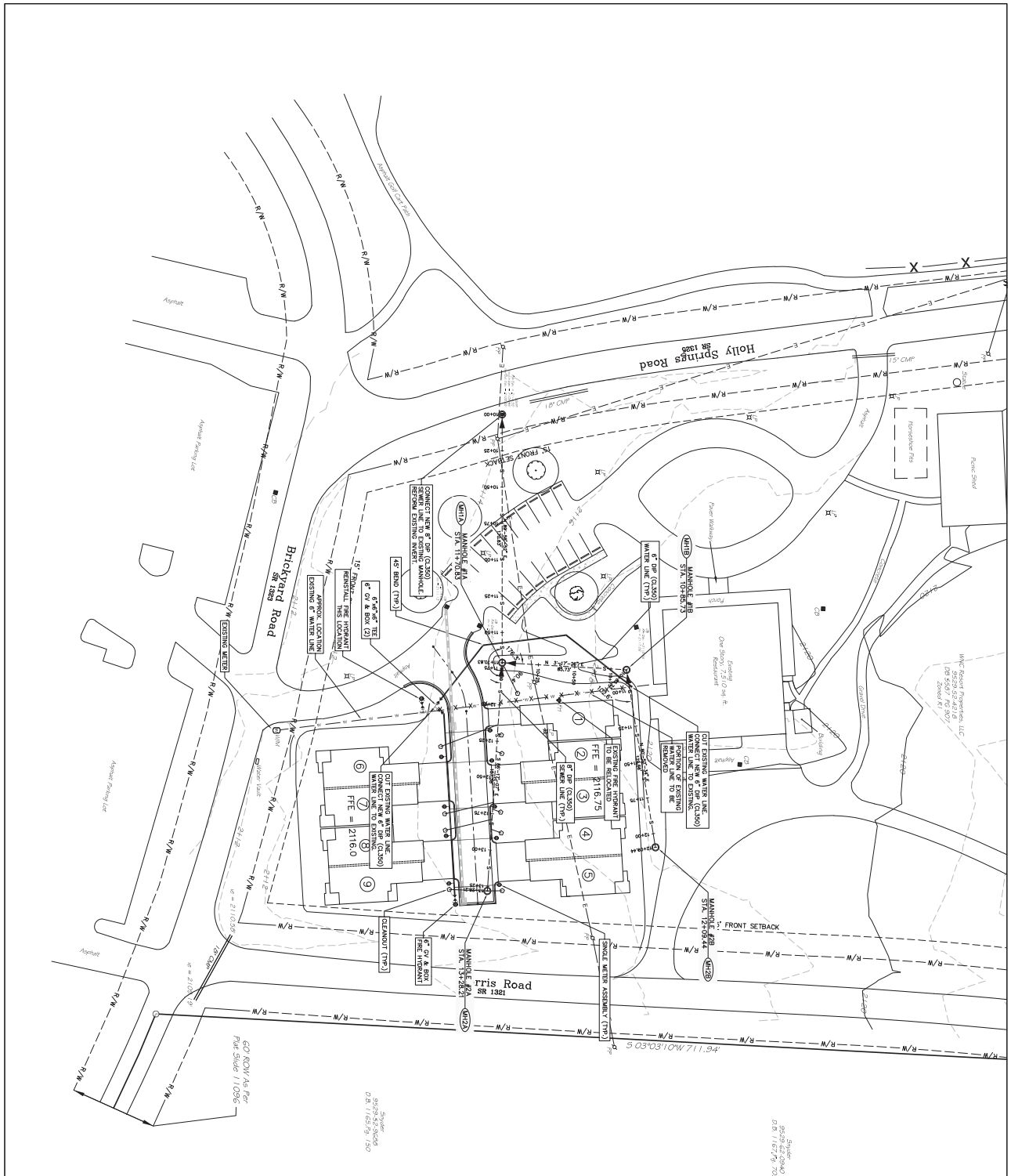


0' 30' 60' 90'
 GRAPHIC SCALE 1"=30'
 North Arrow

Site Development Plan For
WNC Resort Properties, LLC
 HENDERSON COUNTY, NORTH CAROLINA



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 828.299.9409 P/F www.daviscivilsolutions.com



DEVELOPMENT DATA BLOCK

Verify Map

OWNER: WNC RESORT PROPERTIES, LLC
PROJECT: WNC RESORT PROPERTIES, LLC
DATE: 11/14/2018
SCALE: 1"=30'

DESIGNER: DAVIS CIVIL SOLUTIONS, PA
DATE: 11/14/2018
SCALE: 1"=30'

CHECKER: DAVIS CIVIL SOLUTIONS, PA
DATE: 11/14/2018
SCALE: 1"=30'

APPROVER: DAVIS CIVIL SOLUTIONS, PA
DATE: 11/14/2018
SCALE: 1"=30'

DATE: 11/14/2018
SCALE: 1"=30'

PROJECT: WNC RESORT PROPERTIES, LLC
DATE: 11/14/2018
SCALE: 1"=30'

Utilities

Sheet **C4**

Job No: 19101
 Date: April 10, 2019
 Scale: 1"=30'
 Revision:

Site Development Plan For
WNC Resort Properties, LLC
 HENDERSON COUNTY, NORTH CAROLINA



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IN THE MATTER OF THE APPLICATION OF

WNC RESORT PROPERTIES, Applicant,
to the
HENDERSON COUNTY ZONING BOARD OF ADJUSTMENT,
Permit Authority, Regarding

SPECIAL USE PERMIT AND VARIANCES OF SR 1.5

The Henderson County Zoning Board of Adjustment held a quasi-judicial hearing May 29, 2019 to consider the application SUP-19-03 & V-19-04, seeking a special use permit and variances under Chapter 42 of the Henderson County Code (“the Code”). The application was submitted by the owners of the property in question. Having heard all of the evidence and arguments presented at the hearing, the Zoning Board of Adjustment makes the following findings of fact:

1. A quasi-judicial hearing was held by the Henderson County Zoning Board of Adjustment on the special use permit application SUP-19-03 & V-19-04. A quorum of members of the Zoning Board of Adjustment was present. The members present and participating were:

Ronald S. Kauffman, Chair
Hilliard Staton
Tony Engel
Bill Fishburne
Steve Dozier

2. All members of the Zoning Board of Adjustment affirmed their ability to make an impartial decision in this matter, and no party or member objected to any other member’s participation in this hearing.

3. Notice of the quasi-judicial hearing, pursuant to the Code was duly and timely given in accord with the provisions of §42-371. This included mailing to the applicants and all adjacent property owners to the boundary of the subject property and the posting of notice on the subject property.

4. This application was filed by WNC Resort Properties (the “Applicant”), as applicant and property owner. The property to be included in the application consists of Henderson County PIN 9529524218. This property is currently zoned Residential One (R1).

5. At the commencement of this hearing, the Chair stated that the Board recognized the Applicants and Henderson County staff as parties to this hearing and inquired whether any person or entity sought to become a party to this action.

6. Applicants included Nicholas Bowman and Tim Rice and opposition was Sharon Hauser.

7. In order to grant any variance, the Board must find the following:

a. There are practical difficulties or unnecessary hardships in carrying out the strict letter of Chapter 42 of the County Code, as demonstrated by:

- i. The fact that, if the Applicant complies with the literal terms of this Chapter, the Applicant cannot make a reasonable use of the property, in that S.R. 1.5 requires 25% pervious pavement and a 100' perimeter buffer.
- ii. This hardship of which the applicant complains is not the result of the applicant's own action.
 - b. The Variance is in harmony with the general purpose and intent of this Chapter and will preserve its spirit.
 - c. The Variance will secure the public safety and welfare and will do substantial justice.
 - d. The Variance is not based on the existence of a nonconforming use of neighboring land or structures in the same district or permitted nonconforming uses in other districts.
 - e. The Variance does not allow for an increase in density for the purposes of subdividing the land that would otherwise not be permitted by the applicable zoning district or subdivision regulations.

8. The information contained in the Request for Board Action and staff report was received by the Board without objection. The statements found therein are found to be fact by this Board.

9. As to the variance request regarding the provisions of 42-27(5):

10. A motion was made to grant the variance, above, and was unanimously approved by motion by Bill Fishburne and second by Tony Engel.

From the foregoing, the Zoning Board of Adjustment concludes as follows:

1. All parties were properly before the Board, and all evidence presented herein was under oath, and was not objected to by any party. All evidence relied upon in this Order was credible and reliable.
2. The Zoning Board of Adjustment has jurisdiction to hear this matter.
3. All parties, and all persons entitled to notice, have been given proper notice of this hearing and afforded the right to be heard.
4. The application for the variance must be granted, subject to the conditions stated above.

IT IS THEREFORE ORDERED by the Henderson County Zoning Board of Adjustment that Henderson County applications SUP-19-03 & V-19-04 are approved to grant a special use permit for Multifamily Housing and variances to eliminate 25% impervious surface requirement and 100' perimeter buffer.

Announced 29 May 2019, and approved in final form, this the 26th day of June 2019.

HENDERSON COUNTY ZONING BOARD OF ADJUSTMENT

By: _____
RONALD S. KAUFFMAN, Chairman

Attest:

TOBY LINVILLE, Secretary to the Zoning Board of Adjustment