

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: July 6, 2010

SUBJECT: Combined Master and Development Plan for Jackson Hollow Major Subdivision
(File #2010-M02)

STAFF CONTACT: Parker Sloan

ATTACHMENTS:

1. Staff Report
2. Vicinity Map
3. Photos of Project Site
4. Subdivision Application
5. Combined Master Plan and Development Plan

SUMMARY OF REQUEST:

Michael Gilbert, agent, on behalf of Michael Athanas, owner, submitted a Combined Master and Development Plan and major subdivision application for the project, known as Jackson Hollow Major Subdivision. Gene Parker with Gene Parker Land Surveyors prepared the plan. The applicant proposes a total of 11 lots. Located on approximately 11 acres of land (PIN 9597-38-2308 and 9597-38-6285) located off Jackson Loop Road (SR # 1801).

The project is not located in a water supply watershed nor is located within the floodplain (see Combined Master and Development Plan). It is located in the R2R (Residential Two Rural) Zoning District. According to County records, the project site does not contain slopes in excess of 60 percent.

The property was included as part of a minor subdivision application in 2007 and again in 2008 (File #2007-178A). The original parent tract was approximately 19.65 acres and was divided into 10 existing lots (see aerial map). With the addition of the proposed 11 lots the total number of lots within the parent tract would be 19. Staghorn Court is the only existing access to the project site. Two new roads are proposed to access the remaining property. Private individual wells and septic are proposed to serve the proposed lots. The proposed location of each well is shown on the combined master and development plan. The TRC may refer any subdivision application for review by the Planning Board.

TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:

Staff finds that the proposed Combined Master and Development Plan appears to meet the technical standards of the subdivision regulations of Chapter 200A, Henderson County Land Development Code (LDC) except for the comments listed in the Staff Report (See Attachment 1). Staff recommends approval of the Combined Master and Development Plan subject to the developer addressing any issues raised by the Technical Review Committee and addressing the comments listed in the Staff Report.

Suggested Motion:

I move that the Technical Review Committee find and conclude that the Combined Master and Development Plan appears to comply with the subdivision provisions of Chapter 200A, Henderson County Land Development Code (LDC);

And

I further move that the Technical Review Committee recommend approval of Combined Master and Development Plan subject to any conditions that may result from comments listed in the Staff Report (Attachment 1) or other comments from discussion at the Technical Review Committee meeting.

Henderson County Planning Department Staff Report

Combined Master and Development Plan Review for Jackson Hollow Major Subdivision (File #2010-M02)

Michael Athanas, Owner

Michael Gilbert, Agent

Master Plan Comments:

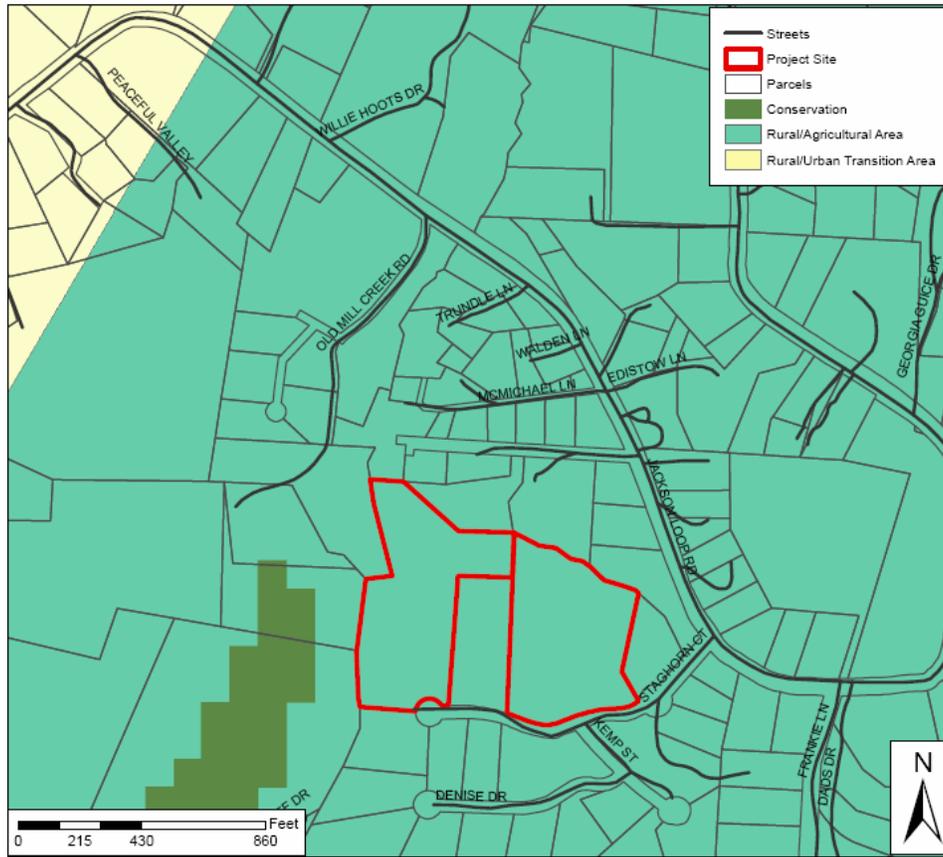
According to Chapter 200A, Henderson County Land Development Code (LDC) §200A-309, the purpose of a Master Plan is to provide general information about the proposed development to allow for an assessment of its impact on the orderly growth and development of the County, environmental quality, land values, natural features identified on the site analysis sketch and the County's roads and governmental services. During the review of the Master Plan, the Technical Review Committee should take into consideration: applicable recommendations of the *Henderson County 2020 Comprehensive Plan*, the potential use of the land to be subdivided, and the impact of the subdivision and proposed use whether residential, commercial or industrial.

When reviewing the Master Plan it is important to consider that, due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems and/or the proximity to existing and incompatible land uses/zoning, all land may not be suitable to be subdivided for the purpose of dense development (LDC §200A-75).

Staff has reviewed the submitted Combined Master and Development Plan for Jackson Hollow Major Subdivision, taking into consideration the recommendations of the *Henderson County 2020 Comprehensive Plan* and reviewing the plan for conformance with Henderson County Land Development Code. Staff offers the following comments:

1. ***Henderson County 2020 Comprehensive Plan (CCP)***. The Future Land Use Map of the CCP shows the project site as being located within the **Rural Agricultural Area** (See Map A: CCP Future Land Use). The RAA is expected to remain predominantly rural through 2020 with low-density residential development due to the location, topography, and lack of public infrastructure for the area. The CCP states that extraordinary care should be taken in the area to preserve rural character and environmental resources.

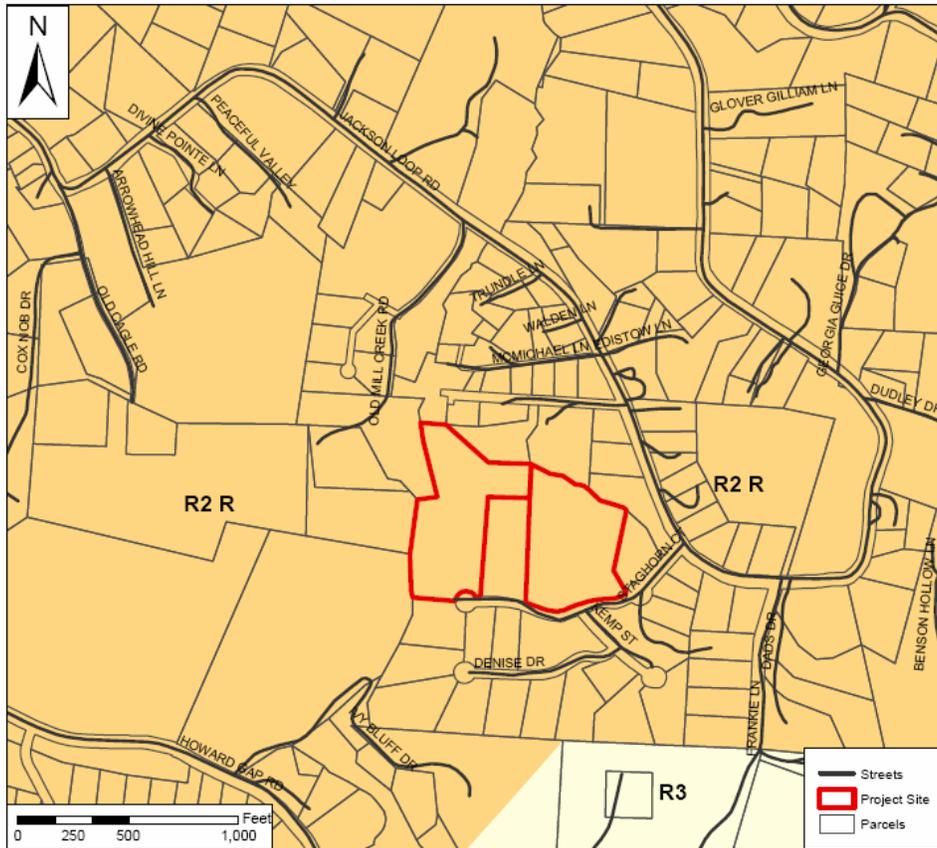
Map A: CCP Future Land Use



2. **Chapter 200A, Henderson County Land Development Code (LDC).**

According to Chapter 200A, Henderson County Land Development Code (LDC) and its Official Zoning Map adopted September 19, 2007 (as amended), the proposed project site is located within the R2R (Residential Two Rural) zoning district. (See Map B: Official Zoning). The maximum single family density for the property is 11 lots. The applicant is proposing 11 single family lots which complies with the R2R zoning districts requirements.

Map B: Official Zoning



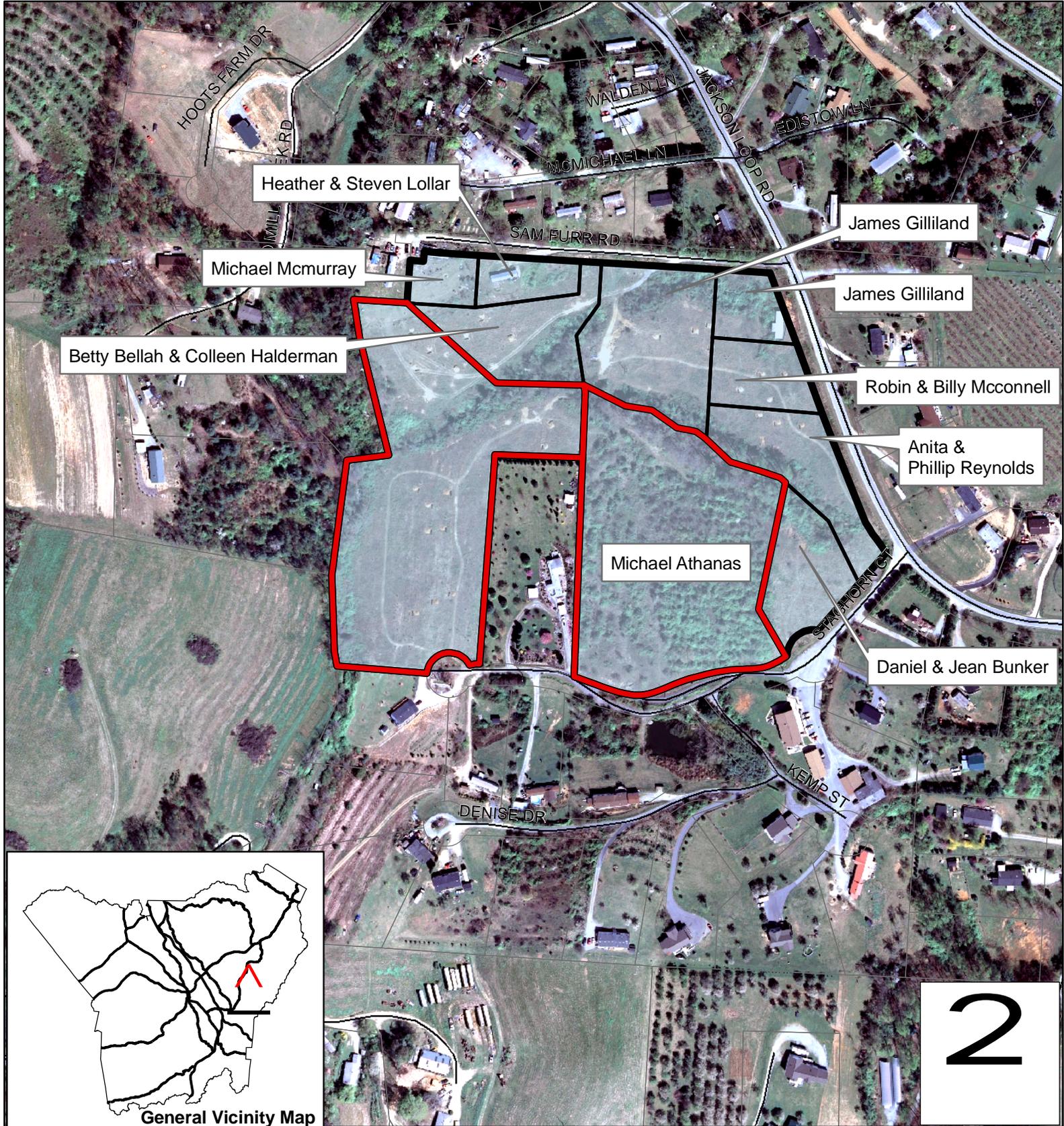
Development Plan Comments

1. **Soil Erosion and Sedimentation Control Plan.** The Applicant shall submit written notice from: the appropriate local agencies verifying that an Erosion and Sedimentation Control Plan has been received, or a written notice from a professional land surveyor, engineer, landscape architect, architect, or professional planner certifying that no plan is required (LDC §200A-81A).
2. **Individual Water and Wells.** For subdivisions in which the water supply system and/or sewage disposal system to be installed is an individual system for each lot, the installation of said systems will not be required prior to final plat approval. (§200A-81B). The use of community wells is recommended, however, if individual wells are proposed, the applicant shall provide reasonable documentation demonstrating there is sufficient water supply to support 60 percent of the proposed lots. The location of each well is shown on the combined master and development plan. The applicant shall provide documentation for an individual well system to support 60 percent of the proposed lots prior to beginning any land disturbing/construction activity or any other improvements not associated with the installation of the wells. If the locations of the well(s) or waterlines change, the applicant shall submit a revised development plan
3. **Roads and Offsite Access.** According to the major subdivision road requirements §200A (LDC §200A-81 J and K) right-of-way standards apply within the boundaries of the property being developed. The existing Staghorn Court is the only access into the property being developed, however, the road and its r-o-w are located offsite. The condition of Staghorn Court varies greatly along its full length but does not meet major subdivision road requirements in its entirety. The primary concerns are road width and maintenance (road grade is not a concern). The applicant is proposing to extend Staghorn Court onto the project site (this portion shall be constructed to the specifications of the LDC §200A-81 C). Inadequate frontage or existing off-site access over a private right-of-way shall restrict the maximum number of lots into which a subject tract may be divided, regardless of total acreage. The applicant is proposing the maximum number of lots permitted under this additional restriction.
4. **Street Tree Requirements.** According to the street tree requirements of §200A-145 and 146, the applicant must provide one tree per 50 linear feet of property abutting an internal road. Trees may be placed in groups with a minimum spacing of no less than 15 feet and a maximum spacing of no more than 65 feet. The trees must be placed within the right-of-way or within 20 feet of the edge of the right-of-way. The applicant may use existing trees in accordance with §200A-153 instead of planting new trees. These existing trees must also be located within the right-of-way or within 20 feet of the edge of the right-of-way as required by §200A-146.

It appears that the applicant is proposing 40 new trees to satisfy the street tree requirements. 39 of the street trees shown are within the right-of-way and one is within 20ft of the right-of-way. It appears the spacing requirements for the street trees will be met.

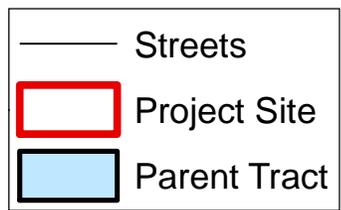
5. **Farmland Preservation Notation.** The applicant has submitted an affidavit certifying awareness of an existing Farmland Preservation District. The final plat

- shall contain a note stating that the property lies within one-half (1/2) mile of land in a Farmland Preservation District as well as indicating where the 100 foot setback lies (LDC §200A-81 P).
6. **Shoulder Stabilization.** All areas disturbed by the construction of a private road, including cut and fill slopes, shoulders and ditch banks, shall be seeded to stabilize the soil and prevent erosion. Seeding should be done as soon as feasible after road construction (LDC §200A-81E).
 7. **Subdivision Signs.** All major subdivisions may provide for, at the primary entrance, a community identification/subdivision sign to conform to the sign regulations of Article VII. Such signs should be located in dedicated sign easements, which must be shown on the final plat (LDC §200A-81G)
 8. **Stream Setbacks.** All built-upon area shall be at a minimum of 30 feet landward of all perennial and intermittent surface waters. (§200A-219)
 9. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the miscellaneous advisory provisions contained in LDC §200A-81S.
 10. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §200A-311B(2)).



Jackson Hollow Major Subdivision

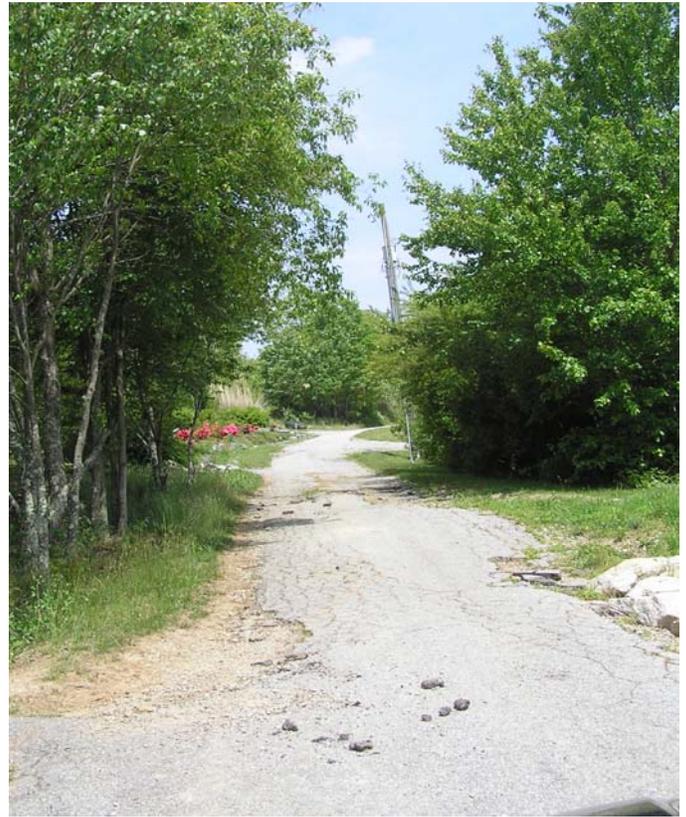
OWNER/DEVELOPER: Michael Athanas
 AGENT: Michael Gilbert
 ZONING: R2R



Map Created by the Henderson County Planning Department on 6/23/10
 See Master Plan for exact location of project.



1. View of Staghorn Court one way portion (looking west)



2. View of Staghorn Court looking east from cul-de-sac.



3. View of the project site from existing on site trail looking north.



4. View of the project site from existing on site trail looking west.

HENDERSON COUNTY
SUBDIVISION APPLICATION FORM
(Please fill out all applicable items)

SUBDIVISION INFORMATION

Subdivision Name: Jackson Hollow
Subdivision Type (Circle One): Major Minor Non-Standard Special
Proposed Use of Property (Circle One): Residential Commercial Industrial
Conservation Subdivision: Yes No Gated entrance to property: Yes No
Existing Number of Lots: 2 Total Number of Proposed Lots: 11
Total Number Proposed Units: 11 LOTS Proposed Density (units per acre): 11 / 11 Ac.
Road System: () Public () Private () Combination Public and Private
Water System: () Individual () Community () Municipal
Sewer System: () Individual () Community () Municipal

PARCEL INFORMATION

PIN: 1002-701 1343-783 Total Acreage: 11 Deed Book/Page: 1002-701 1343-783 Township Blue Ridge
Location of property to be divided: 9597-38-2308 9597-38-6285

Zoning District: R-2 MH Fire District: DANA
Water Supply Watershed: N/A School District: DANA

Any portion of property within or containing the following:

Floodplain or floodway: Yes No Perennial streams: Yes No
Protected mountain ridges: Yes No Cemetery: Yes No
Within 1/2 mile of a Farmland Preservation District: Yes No
Adjacent to a Farmland Preservation District: Yes No

CONTACT INFORMATION

Property Owner:
Name: Michael Athanas Phone: 704-576-3887
Address: 1999 Candlewick Dr City, State, Zip: Fort Mill SC 29715
Fort Mill S.C. 29715

Mail to Both Addressee

Applicant:
Name: Michael Athanas Phone: 704-576-3887
Address: 1999 Candlewick Dr City, State, Zip: Fort Mill SC 29715

Agent: Agent Form (Circle One): Yes No
Name: Mike Gilbert Phone: 404-725-0216
Address: 56 Barberry Hts City, State, Zip: Brevard NC 28712

Plan Preparer:
Name: Gene Parker Phone: 828-891-8373
Address: 43 Tarlton Mtn Dr City, State, Zip: Mills River NC 28759

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

Michael Athanas [Signature] 4/15/10
Print Applicant (Owner or Agent) Signature Applicant (Owner or Agent) Date

County Use Only

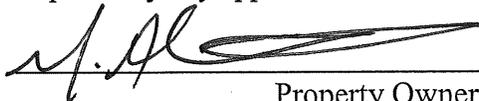
Fee: \$ _____ Paid: _____ Method: _____ Final Plat Approved On: _____

APPOINTMENT OF AGENT FORM (OPTIONAL)

I Michael Athanas owner of property located on Jackson Loop,
(Name) (Street Name)
recorded in 1002 - 701 ~~±~~ 1843 and having a parcel identification number of 9597-38-2308
Slide 7330 (Deed Book/Page) (PIN) 9597-38-6285
located in Henderson County, North Carolina, do hereby appoint Michael Gilbert,
(Agent's Name)

to represent me in an **application to the Planning Department** and authorize him/her to act as my agent **in all matters**, formal and informal except as stated herein, and authorize him/her to receive all official correspondence.

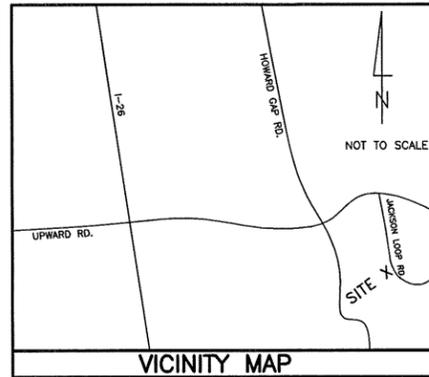
I however understand that as the listed property owner, I must sign all affidavits and statements required by any applicable ordinance.



Property Owner

4/15/10

Date



PROJECT SUMMARY

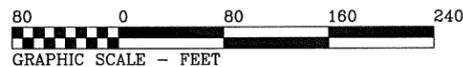
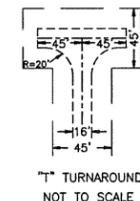
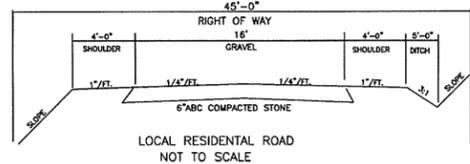
TOTAL AREA- 11.019 AC.
 TOTAL LOTS- 11
 MIN. LOT SIZE-0.812 AC.
 MAX. LOT SIZE-1.497 AC.
 APPROX. LENGTH OF PRIVATE ROAD- 1000'
 WATER SERVICE- INDIVIDUAL
 SEWER SERVICE- INDIVIDUAL

NOTES :

1. PROPERTY IS ZONED R2-MH
2. SUBJECT PROPERTY IS LOCATED WITHIN ONE HALF MILE OF A FARMLAND PRESERVATION DISTRICT.
3. A MINIMUM 30' SETBACK IS REQUIRED ALONG ALL PERENNIAL STREAMS.
4. BUILDING SETBACKS
 FRONT-15'
 SIDE - 10'
 REAR - 10'
5. DENSITY IS ONE UNIT PER ACRE
6. APPROX. 6400' TO MUNICIPAL WATER AND SEWER SYSTEMS
7. 0.3 ACRES WITH 60% SLOPE OR GREATER

LEGEND :

- I.R.S.--5/8"REBAR IRON PIN SET
- I.P.F.--IRON PIPE FOUND
- I.R.F.--IRON ROD FOUND
- A.M.S.--ALUMINUM MONUMENT SET
- A.M.F.--ALUMINUM MONUMENT FOUND
- C.M.F.--CONCRETE MONUMENT FOUND
- P.O.B.--POINT OF BEGINNING
- E.O.P.--EDGE OF PAVEMENT
- U.P.--UNMARKED POINT
- P.I.--POINT OF INTERSECTION
- P.P.--POWER OR PHONE POLE
- D.B.--DEED BOOK
- R/W--RIGHT OF WAY
- CTR.--CENTER
- FNC.--FENCE
- COR.--CORNER
- BR.--BRANCH
- RD.--ROAD
- P.C.--PLASTIC CAP STAMPED GENE PARKER, P.L.S., 1479
- P- --OVERHEAD POWER AND/OR PHONE LINES
- R.S.F.--RAILROAD SPIKE FOUND



Curve	Radius	Length	Chord	Chord Bear.
C1	87.50'	50.43'	49.73'	S 69°27'28" W
C2	308.18'	114.95'	114.28'	S 75°16'56" W
C3	122.45'	89.93'	87.93'	S 85°38'13" W
C4	36.50'	11.17'	11.13'	N 78°11'01" W
C5	50.00'	128.25'	95.87'	S 76°35'51" W
C6	145.48'	59.72'	59.30'	N 47°49'26" W
C7	145.48'	63.23'	62.73'	N 72°02'02" W

Course	Bearing	Distance
L1	S 82°46'37" E	58.07'
L2	S 56°15'19" E	65.65'
L3	S 79°42'36" E	41.91'
L4	S 55°16'32" E	28.01'
L5	S 55°21'03" E	56.92'
L6	S 48°59'56" E	34.90'
L7	S 75°28'23" E	67.44'
L8	S 73°13'04" E	46.03'
L9	S 50°08'01" E	14.93'
L10	S 85°58'04" W	56.16'
L11	S 64°35'48" W	51.16'
L12	N 14°20'04" W	43.75'
L13	N 04°23'49" W	104.61'
L14	N 04°23'49" W	62.34'
L15	N 06°05'18" E	65.71'
L16	N 06°05'18" E	97.10'
L17	N 06°05'18" E	58.80'
L18	N 84°29'03" W	50.00'

ROBERT E. PARKER, PROFESSIONAL LAND SURVEYOR,

CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN

THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 13,000

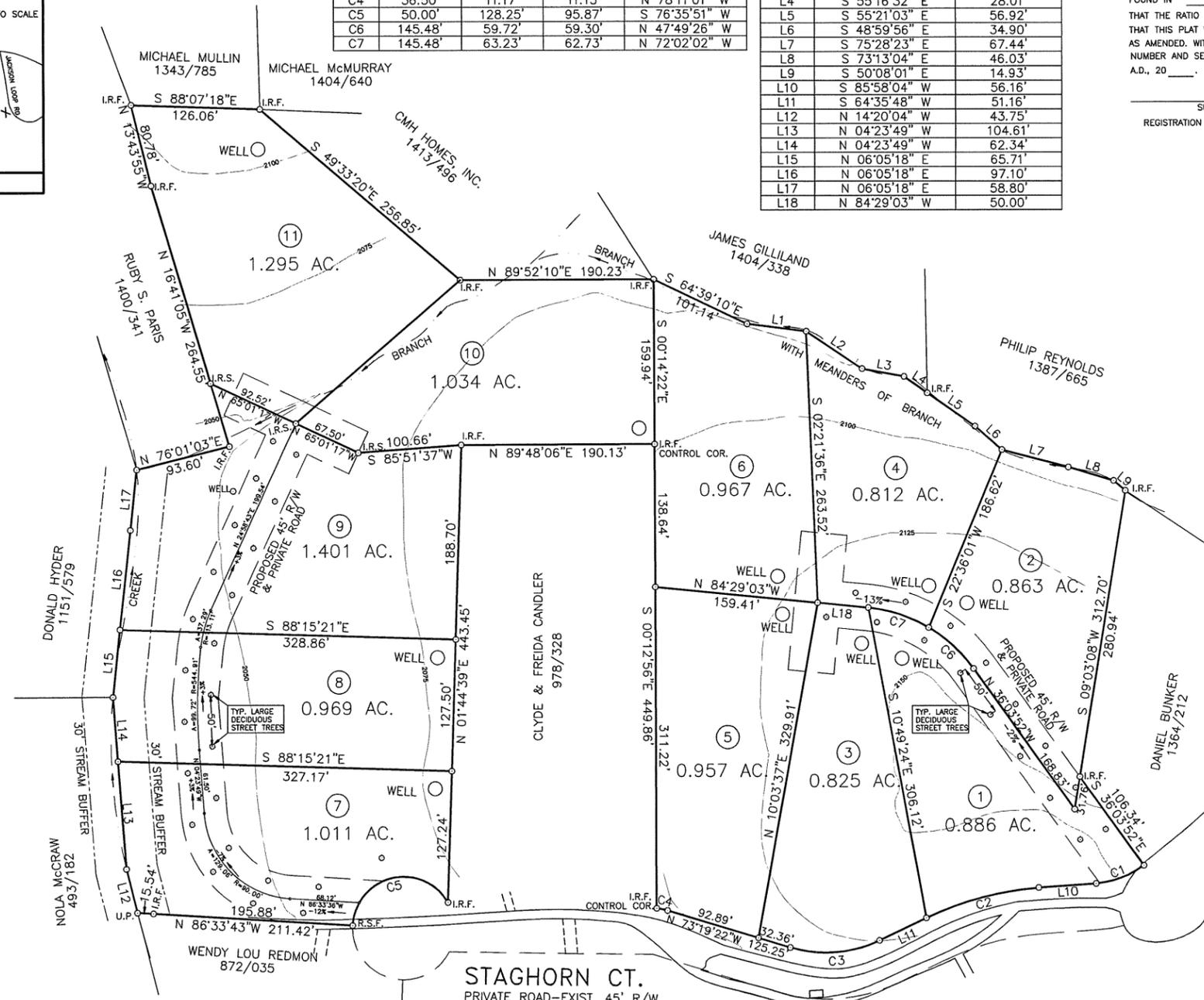
THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30

AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION

NUMBER AND SEAL THIS _____ DAY OF _____

A.D., 20 _____.

SURVEYOR
 REGISTRATION NO. L-1479



**COMBINED MASTER AND DEVELOPMENT PLAN
 JACKSON HOLLOW
 SUBDIVISION**

OWNER & DEVELOPER:
 MIKE GILBERT
 56 BARBERRY HTS.
 BREVARD, NC 28712

BLUE RIDGE TOWNSHIP
 HENDERSON COUNTY, N.C.

DEED REFERENCE : 1343/783
 PLAT REFERENCE : SL. 7330

**GENE PARKER
 LAND SURVEYS**

43 TARKILN MOUNTAIN DR.
 MILLS RIVER, N.C. 28759
 828-891-8373

SCALE: 1" = 80' DATE: MAY 29, 2010

PIN#: 9597-38-6285 & 9597-38-2308

DRAWING NO.: 10-018MP

CERTIFICATION OF PRIVATE ROADS

SOME ROADS IN THIS SUBDIVISION ARE PRIVATE. THE PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING AND REPAIRING THE ROADS AS WELL AS PAYING THE COSTS THEREOF. MUNICIPAL AND OTHER GOVERNMENTAL SERVICES MAY BE RESTRICTED OR NOT BE FURNISHED TO THE PROPERTY OWNERS USING PRIVATE ROADS FOR ACCESS.