

Staff Report: TRC 11/6/12  
Johnson Home Occupation

**REQUEST FOR COMMITTEE ACTION**  
**HENDERSON COUNTY**  
Technical Review Committee

**MEETING DATE:** November 6, 2012

**SUBJECT:** Special Use Permit Application (SUP-12-05) for a Home Occupation-54 Kanuga Falls Lane

**PRESENTER:** Toby Linville, Code Enforcement Director

**ATTACHMENTS:** 1. Staff Report

**SUMMARY OF REQUEST:**

The applicants are requesting a Special Use Permit to allow them to use their home as an office for a Home Inspection business.

Staff requests that the TRC review the application and provide a recommendation to the Board of Adjustment. The TRC should also review the site plan.

**Suggested Motions:**

**I move to approve the site plan for SUP-12-05 because it meets the requirements of the Land Development Code.**

**I move that TRC give a favorable recommendation for SUP-12-05.**



## Henderson County, North Carolina Code Enforcement Services

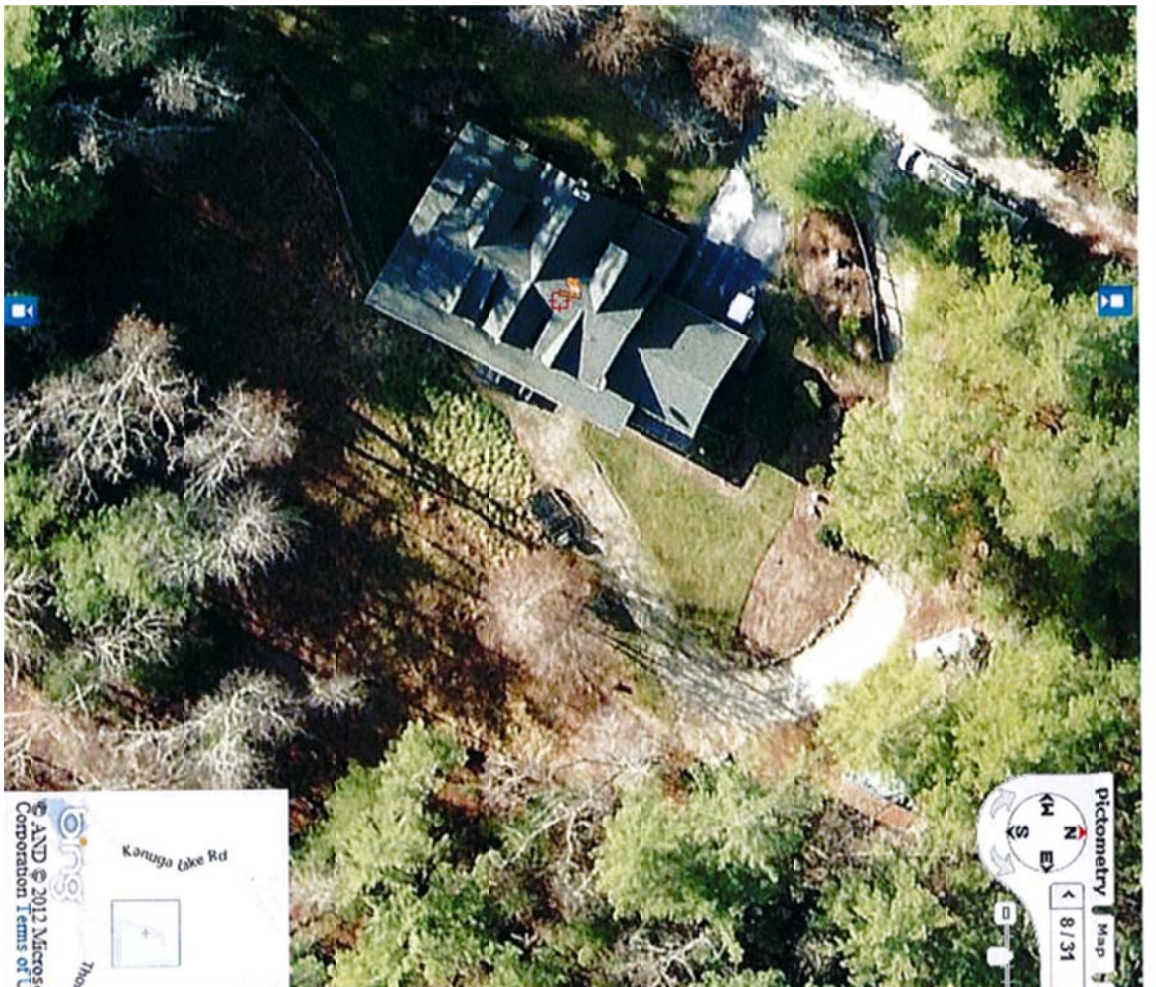
### 1. **Board Request**

- 1.1. **Applicant:** Rod and Brenda Johnson
- 1.2. **Request:** Special Use Permit
- 1.3. **PIN:** 9557-20-3215
- 1.4. **Size:** 1.77 acres +/-
- 1.5. **Location:** The subject area is located at 54 Kanuga Falls Lane.
- 1.6. **Supplemental Requirements:**

### SR 2.8 Home Occupation General

- (1) Site Plan. A home occupation shall require the submittal of a minor site plan only if the home occupation requires the:
  - a. Building of an accessory structure to house the occupation;
  - b. Building of outdoor play areas as required for in-home childcare facilities;
  - c. Placement of additional parking; and/or
  - d. Need for outdoor storage.
- (2) Development Size Restrictions. A *home occupation* shall either:
  - a. Take up no more than 25 percent of the *gross floor area* of the principal dwelling; or
  - b. *Be housed completely in one (1) accessory structure* (with the exception of any *outdoor storage* requirements).
- (3) Retention of Residential Character. A home occupation shall be:
  - a. Conducted entirely within the principal dwelling or one (1) *accessory structure*; and
  - b. Clearly incidental and secondary to the *use* of the dwelling or *structure* for residential purposes.
- (4) Operations. A *home occupation* shall:
  - a. Be conducted by a resident of the principal dwelling;
  - b. Engage no more than two (2) on-site employees (Other than those residing in the home) in the occupation;
  - c. Not incorporate on-premise retail sales as the primary function of the *home occupation*; and
  - d. Not involve equipment or processes used that shall create noise, vibration, glare, fumes, odor or electrical interference off the premises.
- (5) Parking. A *home occupation* generating any additional need for parking shall:
  - a. Meet any additional parking needs off-street (but not in the required *front yard*); and
  - b. Be permitted a maximum of two (2) additional standard parking spaces and one (1) handicapped parking space.
- (6) Outdoor Storage. A *home occupation* which requires *outdoor storage* shall:
  - a. Identify the storage requirements at the time of permit application;
  - b. Locate the storage in the rear yard (not in the *front* or side yard);
  - c. Cover no more than 10 percent of the property on which the *home occupation* *is located with outdoor storage*; and
  - d. Adhere to any additional standards for *outdoor storage*.

**Map A: Aerial Photo/Pictometry**



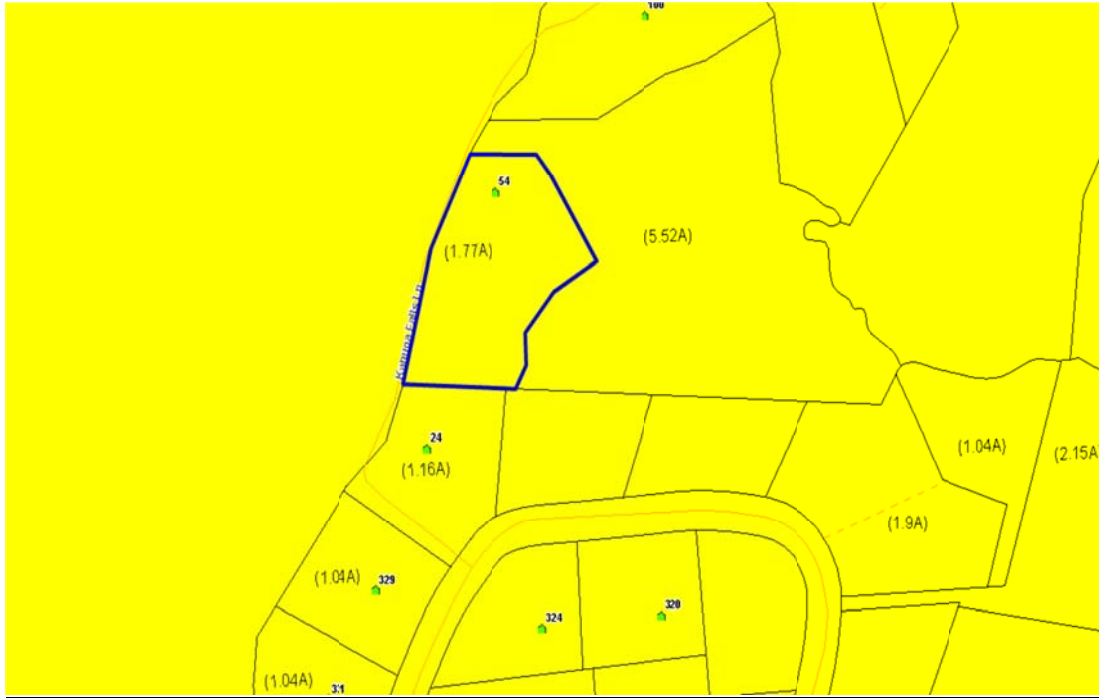
**2. Current Conditions**

**2.1 Current Use:** This parcel is currently in residential use.

**2.2 Adjacent Area Uses:** The surrounding properties consist of residential and undeveloped land. The southern area of this property is primarily an established residential development.

**2.3 Zoning:** The surrounding property to the north, east, west, and south is zoned R-40.

**Map B: Current Zoning**



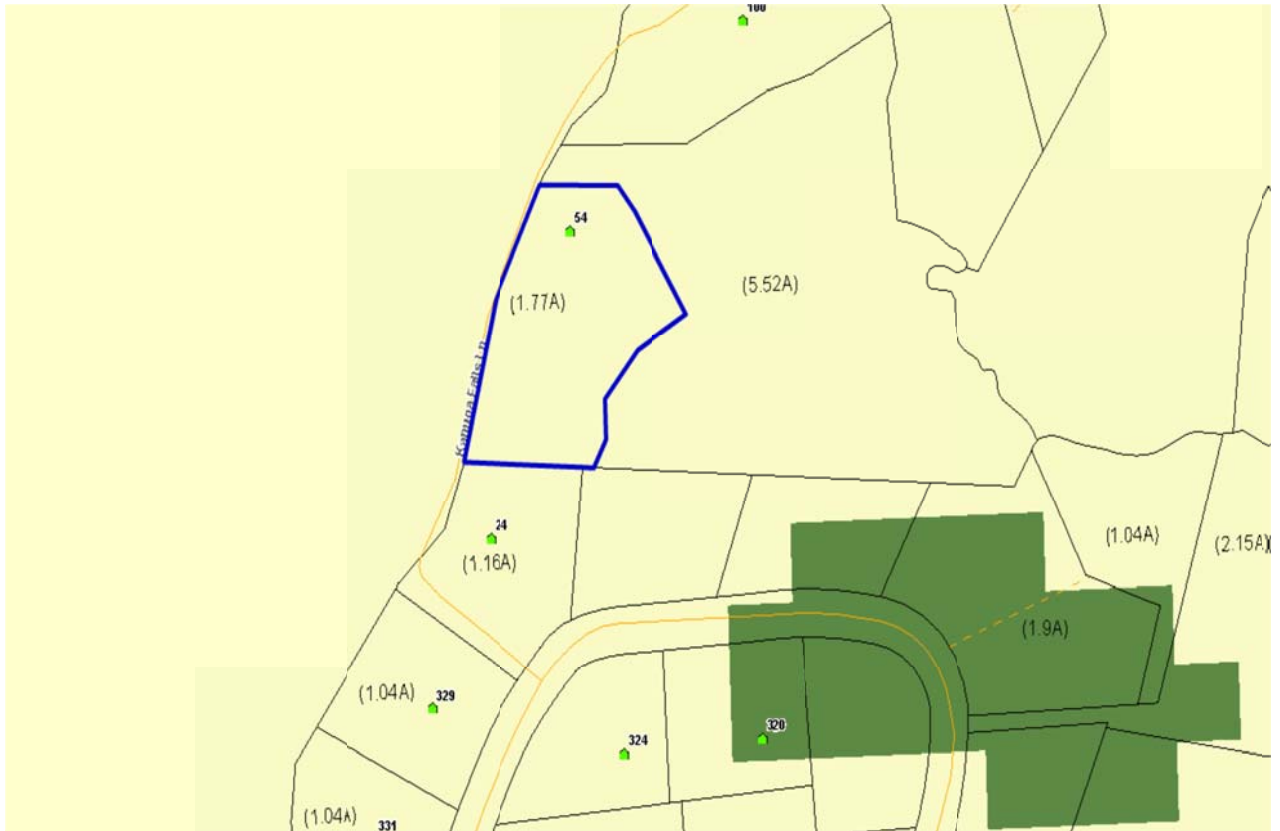
**3. Floodplain /Watershed Protection** The property is not located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.

**4. Water and Sewer** Private well and septic system serve this property.

**Public Water:** City of Hendersonville water is not available for this property.

**Public Sewer:** City of Hendersonville sewer is not available for this property.

### Map C: CCP Future Land Use Map



#### 5. Staff Comments

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

1. 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.
2. Population and residential densities should be generally lower than the more urban population densities found within the USA and should be generally in keeping with topography, septic limitations, and school and transportation capacities. Land development ordinances in the RTA should strive for a *general, average* density of 5 or fewer acres per residential dwelling unit. Actual densities as defined by zoning requirements should vary across the RTA according to constraints and community characteristics.

#### 6. Staff Recommendations

**6.1** Staff's Position at this time, under the guidelines of current plans, policies and studies, is to recommend approval of the Special Use Permit because it is consistent with the current surrounding land uses and future land use recommendations.

**7. Photographs Looking N along Kanuga Falls Rd.**



**Looking S along Kanuga Falls Rd**



**Looking into property**

