

## **REQUEST FOR COMMITTEE ACTION**

### **HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE**

**MEETING DATE:** February 05, 2019

**SUBJECT:** Rezoning Application #R-2018-09 Laughter  
(PIN: 9652-01-1996, 9652-01-3964, 9652-01-5834, 9642-91-3898)

**PRESENTER:** Eric Warren, Planner

**ATTACHMENTS:** 1.) Staff Report

#### **SUMMARY OF REQUEST:**

Rezoning Application #R-2018-09 was initiated on December 27, 2018 and requests that the County rezone approximately 6.06 acres of land from Residential One to Regional Commercial. The acreage consists of 4 parcels. The property owners include Shane and Kelly Laughter, SE Johnston III, Phillip Gilliam, and Timothy Johnston. Shane Laughter will be serving as agent.

#### **TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:**

Should the rezoning application meet the technical standards laid out in the Henderson County Land Development Code, the appropriate action by the Technical Review Committee would be to forward the application on to the Planning Board for further review.

#### **Suggested Motion:**

I move that the TRC forward the rezoning application, #R-2018-09, to the Planning Board for further review pending it meets the technical requirements laid out in the Henderson County Land Development Code.

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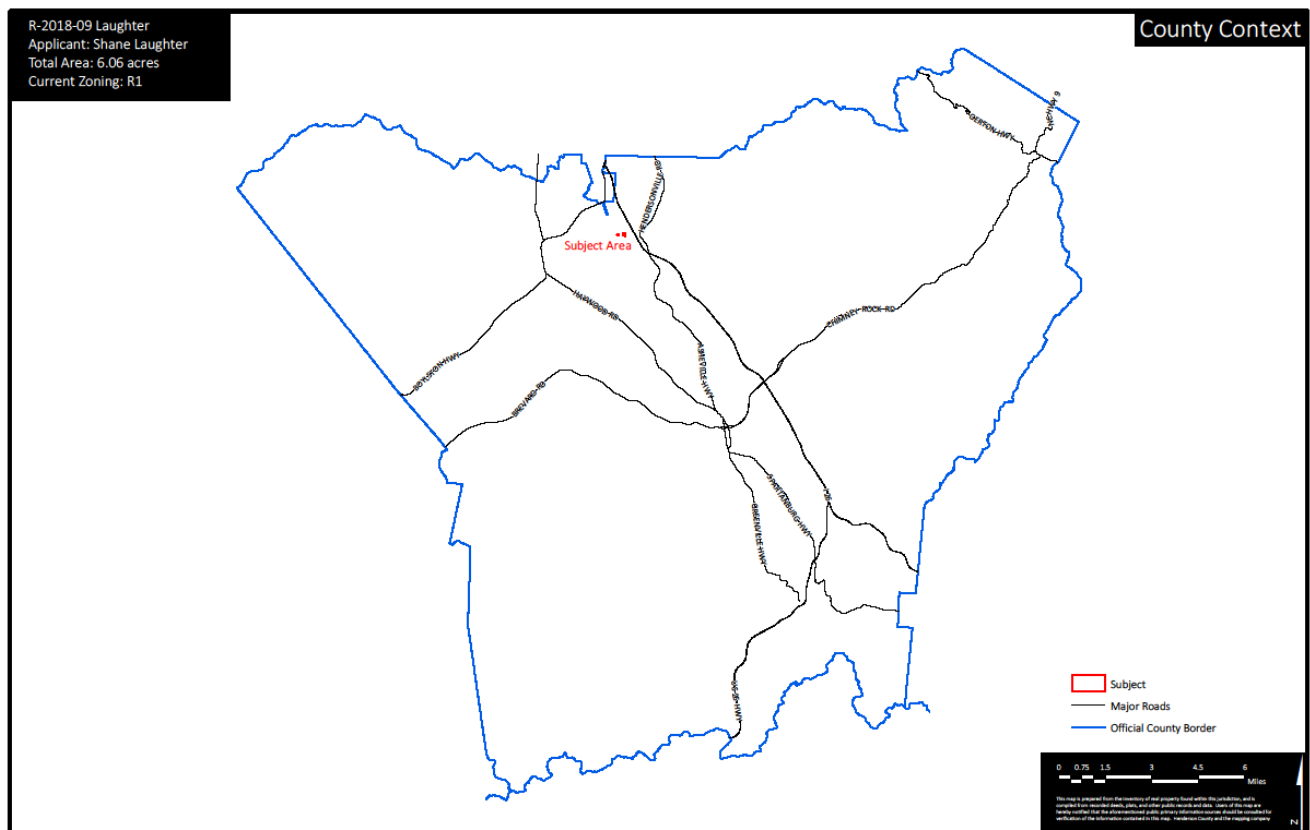
**Henderson County Planning Department Staff Report**  
**Rezoning Application #R-2018-09 (R1 to RC)**

**Owner(s)**  
**Shane & Kelly Laughter, S.E. Johnston III, Phillip Gilliam, Timothy Johnston**  
**(Shane Laughter, Agent)**

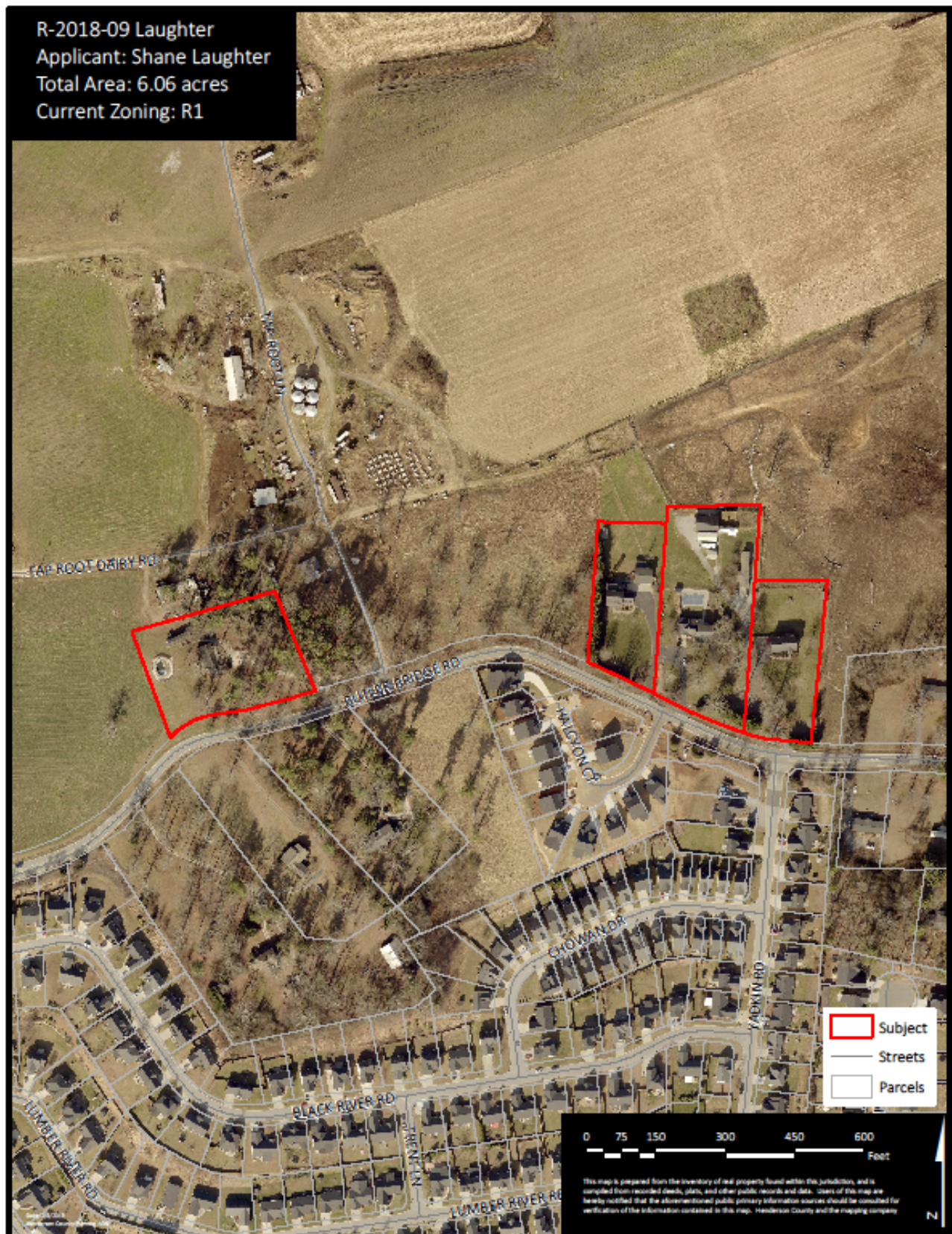
**1. Rezoning Request**

- 1.1. **Applicant:** Shane Laughter
- 1.2. **Property Owner:** Shane & Kelly Laughter, S.E. Johnston III, Phillip Gilliam, Timothy Johnston
- 1.3. **PINs:** 9652-01-1996, 9652-01-3964, 9652-01-5834, 9642-91-3898
- 1.4. **Request:** Rezone subject area from a Residential One (R1) zoning district to a Regional Commercial (RC) zoning district.
- 1.5. **Size:** Approximately 6.06 acres of land
- 1.6. **Location:** The subject area consists of 4 parcels located on Butler Bridge Rd (S.R. 1345) approximately a half of a mile west of the intersection of Butler Bridge Rd (S.R. 1345) and Asheville Hwy (U.S. 25). The property is adjacent to the north of River Stone subdivision.

**Map A: County Context**

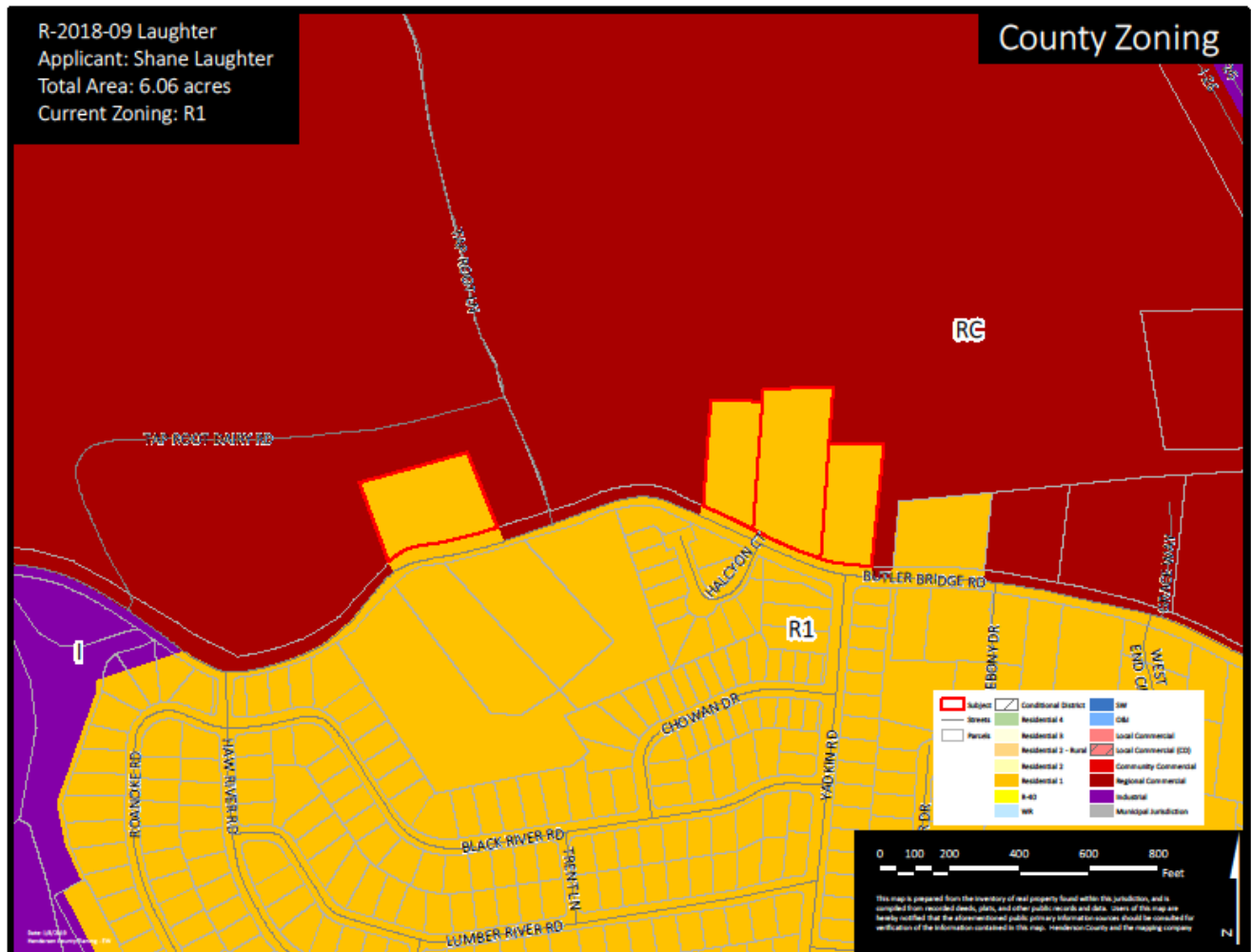


Map B: Aerial Image





### Map C: Current Zoning



## 2. Current Zoning

2.1. **Application of Current Zoning:** The subject area is currently zoned Residential One (R1). (See Map C).

2.2. **Adjacent Zoning:** The subject area is adjacent to both Residential One (R1) zoning and Regional Commercial (RC) zoning districts.

### 2.3. **District Comparison:**

2.3.1. **Residential One (R1):** “The purpose of Residential District One (R1) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for medium to high-density residential development consistent with the recommendations of the Comprehensive Plan. This general use district is typically meant to be utilized in areas designated as Urban (USA) in the Comprehensive Plan.” Standard density is four units per acre, intermediate density of six units per acre, and a maximum density of twelve units per acre (LDC § 42A-27).

R-2018-09 Laughter  
Applicant: Shane Laughter  
Total Area: 6.06 acres  
Current Zoning: R1

# Future Land Use

The map displays several land parcels, with the subject property highlighted in red. The surrounding area is color-coded according to the Future Land Use plan, showing various zones such as Conservation Area (green), Industrial (purple), Urban Services Area (yellow), Rural Agricultural Area (light green), and Rural Transition Area (dark green). The map includes a legend, a scale bar (0 to 800 feet), and a north arrow.

**Legend:**

- Subject (Red outline)
- Streets (Grey line)
- Parcels (Black outline)
- Community Service Area (Pink)
- Conservation Area (Green)
- Industrial (Purple)
- Urban Services Area (Yellow)
- Rural Agricultural Area (Light Green)
- Rural Transition Area (Dark Green)

**Scale:** 0 100 200 400 600 800 Feet

This map is prepared from the inventory of real property found within the jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained in this map. Independence County and the mapping company

**3.1. Subject Area Uses:** The subject area is comprised of 4 parcels used for residential purposes.

- 3.2. **Adjacent Area Uses:** The surrounding properties contain mainly residential and agricultural uses.

4. **The Henderson County 2020 Comprehensive Plan (CCP)**

- 4.1. The CCP Future Land Use Map identifies the subject area as being located in an Industrial Area. (2020 CCP). (See Map D).

**4.1.1.1. Industrial Area:** The CCP defines industrial use as “Parcels containing facilities wherein raw or pre-processed resources, materials, substances, or components are mechanically, physically, chemically, or otherwise transformed into new products; waste materials are collected, treated, or disposed of; subsurface natural resources are extracted and/or processed; Livestock, cargo, merchandise, materials or hazardous substances are transferred, stored or warehoused for wholesale or other distribution; passengers or passenger vehicles are collected or transferred; water, fuel, or electricity is produced, processed, stored, transferred or transmitted.” (2020 CCP Appendix IV pg. 12).

5. **Water and Sewer**

- 5.1. **Public Water:** The subject area utilizes private, individual water system  
5.2. **Public Sewer:** The subject area utilizes private, individual septic system

6. **Staff Comments**

- 6.1. There is a rezoning application filed for the large property immediately adjacent to the North to be rezoned from Regional Commercial (RC) to Residential One Conditional District (R1-CD).
- 6.2. **The 2020 CCP:** The CCP Future Land Use Map (See Map D) places the Subject Area in an Industrial Area. The text and map of the 2020 CCP suggest that the Subject Area would be suitable for commercial development.
- 6.3. **Adjacent Zoning:** The subject area is adjacent to Residential One (R1) and Regional Commercial (RC).
- 6.4. It is staff’s position that the TRC determine whether the subject area meets the technical requirements to be rezoned to a Regional Commercial Zoning district.