

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
Technical Review Committee

MEETING DATE: February 19th TRC & February 27th ZBA

SUBJECT: Special Use Permit and Variance for a Recreational Vehicle Park

PRESENTER: Toby Linville, Code Enforcement Services Director

ATTACHMENTS:

1. Staff Report
2. Photographs
3. Site Plan

SUMMARY OF REQUEST:

Major site plan review and special use permit for a RV park

Suggested Motion:

I move to approve the major site plan for the Trail Creek RV Park

I recommend forwarding SUP-19-01 & V-19-01 to the Henderson County Zoning Board of Adjustment for further review.

In order to grant a special use permit the use must:

- 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.

In order to grant a variance the applicant must prove:

- a. There are practical difficulties or unnecessary hardships in carrying out the strict letter of this Chapter, as demonstrated by:
 1. The fact that, if the *applicant* complies with the literal terms of this Chapter, he/she cannot secure a reasonable return from, or make a reasonable *use* of, the property.
 2. The hardship of which the *applicant* complains results from unique circumstances related to the *applicant's* land.
 3. The hardship is not the result of the *applicant's* own action.



Henderson County, North Carolina Code Enforcement Services

1. Board Request

- 1.1. **Applicant:** Doug Anderson
- 1.2. **Request:** Recreational Vehicle Park
- 1.3. **PIN:** 9682740088
- 1.4. **Size:** 8.59 acres +/-
- 1.5. **Location:** The subject area is located of Green Mountain Rd near Kyles Creek Rd
- 1.6. **Supplemental Requirements:**

SR 4.15. Recreational Vehicle Park

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Perimeter Setback. Fifty (50) feet.
- (4) Recreational Vehicle Spaces. *Recreational vehicle* spaces shall be a minimum of 2,000 square feet and shall have dimensions no less than 40 feet by 50 feet. A *recreational vehicle* space may contain up to four (4) campsites for tent set-up. No *recreational vehicle* space is permitted in the 100-year *floodplain*.
- (5) Common Area. A *common area* shall be provided, that is equivalent in square footage to 25 percent the total square footage in: *recreational vehicle/park model home* spaces, *structures* on site, parking areas and *driveways*. *Common area* shall be accessible for the use and enjoyment of *recreational vehicle park* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
- (6) Operations. The *recreational vehicle park*:
 - a. Shall provide rental spaces:
 1. For the location of *recreational vehicles, park model homes* and/or tent set-up,
 2. Which may contain an open or covered porch not exceeding 15 feet in height and not to exceed 400 square feet in area, and
 3. Which have no point of direct access not indicated on the *site plan*;
 - b. May contain *structures* ancillary to the use;
 - c. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs; and
 - d. Shall provide, at the time of application, an evacuation plan for a natural disaster event.
- (7) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 95 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- (8) Sewage System. *Recreational vehicle/park model home* spaces shall not be provided individual hookups to a septic tank, *approved public or community sewage disposal system* or *municipal sewage disposal system*; instead, a central dump station shall be provided for the *use* of all occupants. A *recreational vehicle park* shall connect to a *municipal sewage disposal system* when the system is located within a distance equal to the product of 50 feet multiplied by the number of spaces proposed for the *recreational vehicle park*. If a *park* is located more than 2,500 feet from an existing *municipal sewage disposal system*, such connection shall not be required.
- (9) *Common Area Recreation and Service Facilities*. Those facilities within the *recreational vehicle park* shall be for the sole purpose of serving the overnight guests in the *park*, and shall adhere to the development standards established in SR 4.6 (*Common Area Recreation and Service Facilities*).

Map A: Aerial Photo/Pictometry



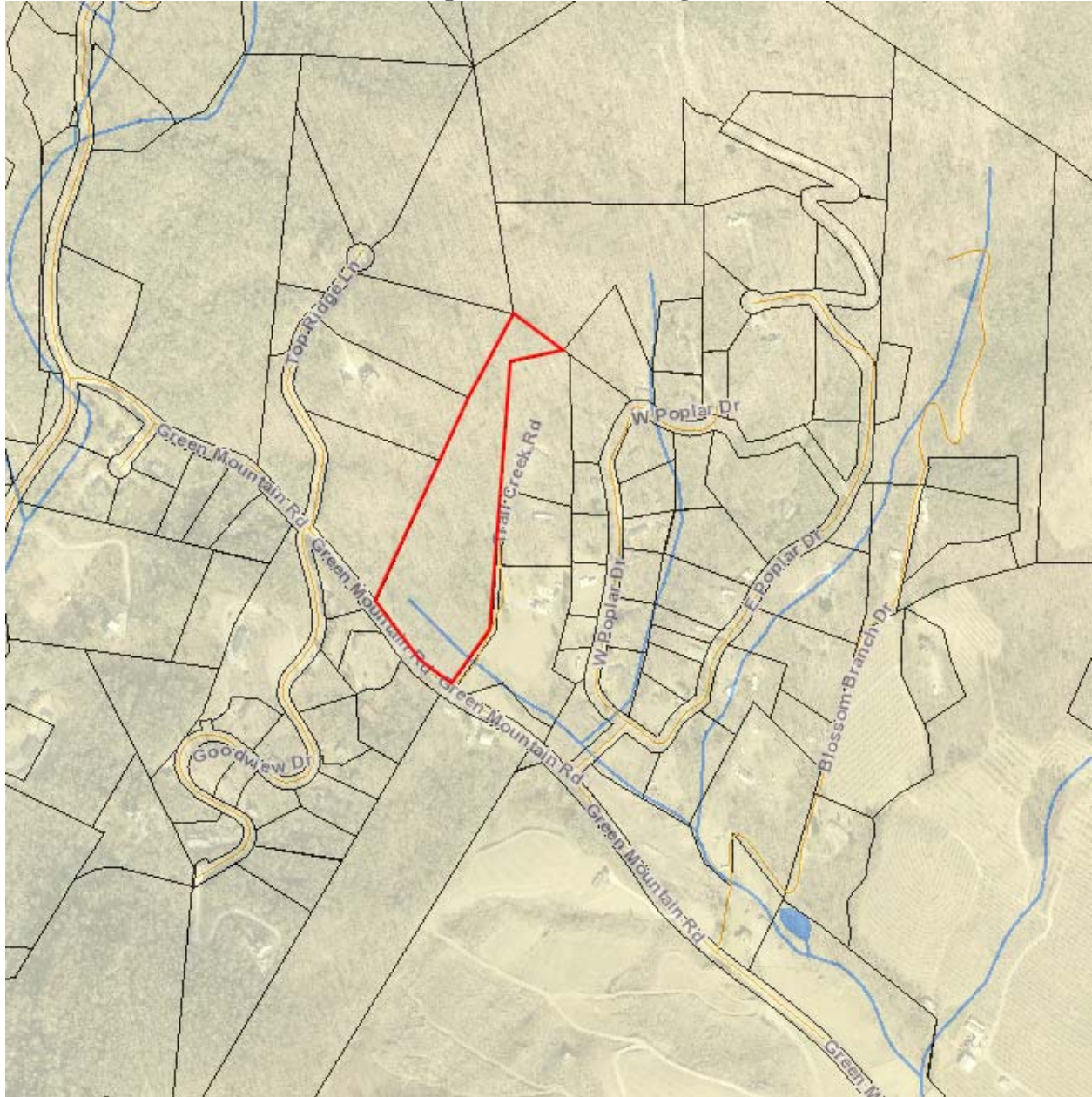
2. Current Conditions

2.1 Current Use: This parcel is currently vacant.

2.2 Adjacent Area Uses: The surrounding properties consist of residential uses.

2.3 Zoning: The surrounding property is zoned Residential Three (R).

Map B: Current Zoning



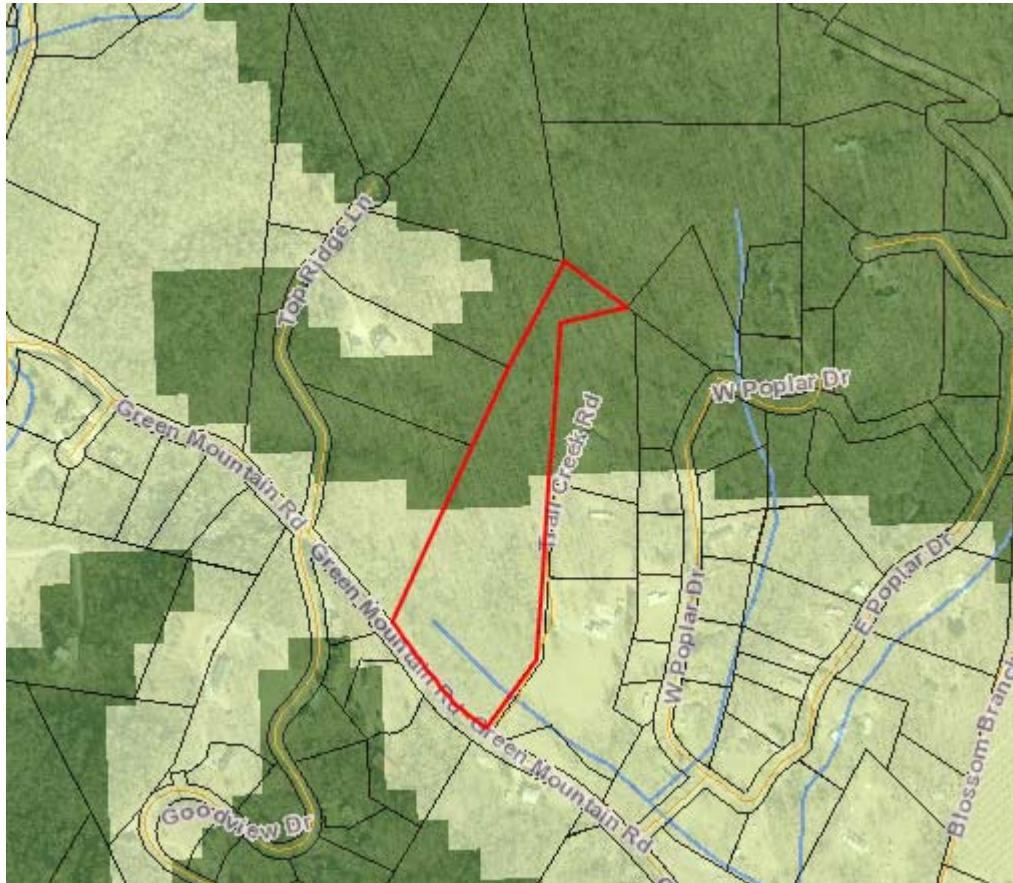
3. Floodplain /Watershed Protection The property is not located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.

4. Water and Sewer Public water and sewer do not serve this property.

Public Water: N/A

Public Sewer: N/A

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/Agricultural/Open Space Area and Conservation Area. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

RAA: The RAA covers those portions of the county that are predominantly rural and are characterized by low-density residential development with substantial land areas devoted to agriculture and undeveloped lands. Land use policies will seek to retain that character.

Conservation: This category includes land areas that are intended to remain largely in their natural state, with only limited development. Such areas should be targeted for protection through regulations and incentives. Conservation areas are lands that generally exhibit any of the following characteristics:

6. Staff Recommendations

Staff's position at this time, under the guidelines of current plans, policies and studies, is to recommend approval of the major site plan because it is consistent with the current surrounding land uses and future land use recommendations.

7. Photographs

HENDERSON COUNTY
MAJOR SITE PLAN REVIEW APPLICATION

CONTACT INFORMATION

Property Owner:

Name: Douglas Lee Anderson Phone: 828-243-2455
Complete Address: 192 Trail Creek Rd Hendersonville NC 28792

Applicant:

Name: SAA Phone: _____
Complete Address: _____

Agent:

Name: SAA Phone: _____
Complete Address: _____
Agent Form (Circle One): Yes No

Plan Preparer:

Name: F.V. Clinkscales, Jr. Phone: (828)697-6539
Complete Address: 201 2nd Ave. E, Hendersonville, NC 28792

GENERAL INFORMATION

Date of Application: 1/23/2019
Site Plan Attached (Circle One): Yes No

PARCEL INFORMATION

PIN: 9682-74-6088 Tract Size (Acres): 9.32
Zoning District: R-3 Fire District: Fletcher
Supplemental Requirement# RV Watershed: N/A
Permitted by Right _____ Floodplain: X
Special Use Permit _____

Location / Property to be developed: N.W. Side OF 192 Trail Creek Rd.

County Use Only

Fee: \$ _____ Paid: _____ Method: _____ Received by: _____

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Driveway Permit No.	Date of Application	
County:		
Development Name:		

LOCATION OF PROPERTY:

Route/Road: _____

Exact Distance Miles N S E W
 Feet

From the Intersection of Route No. _____ and Route No. _____ Toward _____

Property Will Be Used For: Residential /Subdivision Commercial Educational Facilities TND Emergency Services Other
 Property: is is not within City Zoning Area.

AGREEMENT

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- **I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.**



02.01.2019 15:09



02.01.2019 15:09

TRAIL CREEK RD

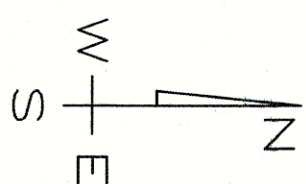
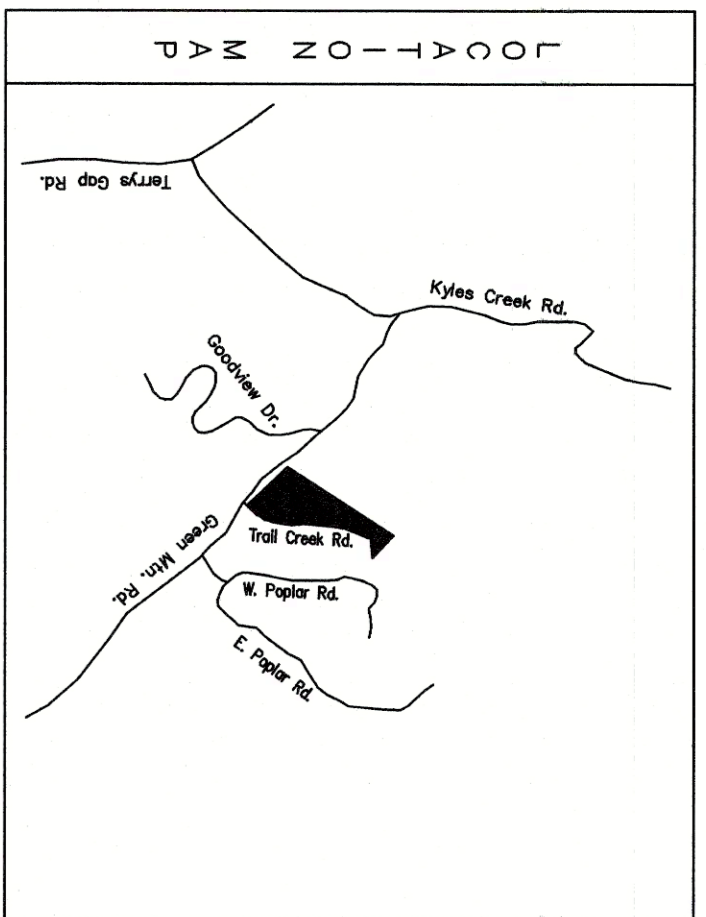
FLETCHER
FIRE & RESCUE
PROTECTION DISTRICT
DIAL 911

ADT

02.01.2019 15:10



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GENERAL SURVEY NOTES:

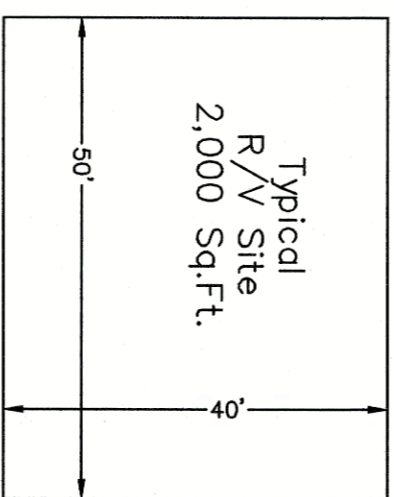
1. This survey was made in accordance with laws and/or Minimum Standards of the State of North Carolina.
2. The basis of bearing for this site plan is NAD83.
3. The basis of elevations this site plan is 2342.44' of a found concrete monument, based on NAVD83, located on W. Poplar Rd. The monument is located on the corner of the intersection of W. Poplar Rd. and Kyle Creek Rd. The monument is located on the corner of the intersection of W. Poplar Rd. and Kyle Creek Rd. The monument is located on the corner of the intersection of W. Poplar Rd. and Kyle Creek Rd.
4. Subject Property is located within an area having a Zone Designation "X" by the Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) for Henderson County, North Carolina, dated October 2, 2006, for the community No. 370725. The map shows the Flood Insurance Study (FIS) of October 2, 2006, for the community No. 370725. The map shows the Flood Insurance Study (FIS) of October 2, 2006, for the community No. 370725. The map shows the Flood Insurance Study (FIS) of October 2, 2006, for the community No. 370725.
5. Subject Property is within a half mile of a Farmland Preservation Area.
6. There are 48 RV Sites within the Subject Property.
7. More than 50% of the Subject Property will remain as Common Area.

ZONING INFORMATION

Zoning District: R-3 (Residential)
 setbacks:
 Front: 20' (Collector)
 Side: 15'
 Rear: 15'
 RV Buffer: 50'
 Stream Buffer: 30'
 Height: 40'

LAND AREA:

9.32 Acres (402,252 Square Feet)



Lot 5
 Christie & Michael Mattingly
 D.B. 1500, Pg. 639
 P.I.N. 9682-64-8037
 Zoned: R-3

Lot 6
 Christie & Michael Mattingly
 D.B. 1446, Pg. 88
 P.S. 7066
 P.I.N. 9682-64-8565
 Zoned: R-3

Lot 7
 Paul Hanson
 D.B. 1463, Pg. 417
 P.S. 7066
 P.I.N. 9682-74-0820
 Zoned: R-3

Angela & Christopher Dungen-Sellers
 D.B. 1381, Pg. 161
 P.I.N. 9682-75-7069
 Zoned: R-3

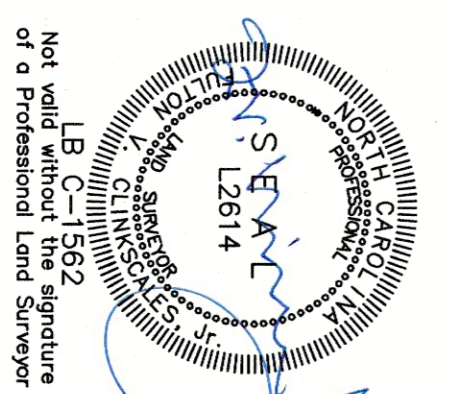
Tract 1
 Tony Jo Shook
 D.B. 1459, Pg. 641
 P.I.N. 9682-74-4399
 Zoned: R-3

Tract 2
 Sheila E. Stempfen
 D.B. 1430, Pg. 324
 P.I.N. 9682-73-4959
 Zoned: R-3

Green Mountain Road
 50' Public Right of Way

Trail Creek Road
 20' Private Right of Way

Sheila E. Stempfen, et al
 D.B. 489, Pg. 181
 P.I.N. 9682-73-3596
 Zoned: R-3



Not with L.B. C-1562
 signature
 of a Professional Land Surveyor

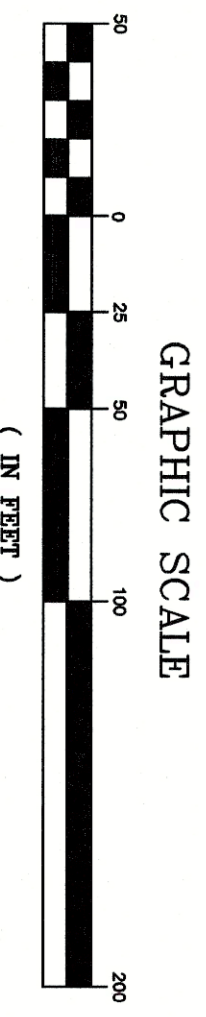
NO.	REVISIONS	DIMS

MAJOR SITE PLAN
Trail Creek RV's
 Green Mountain Road
 Clear Creek Township, Henderson County
 State of North Carolina

REF. PLAT BOOK	311/263	xx/xx
REF. DEED BOOK		
TAX MAP	9682-74-0088	
PARTY CHIEF	GAB	
DRAWN	TEC	
DATE	January 7, 2019	
DWGNO.	H39009	

LEGEND

○	IRON PIN FOUND
○	IRON PIN SET
PT	POINT-NO Monumentation
○	STORM DRAIN MANHOLE
○	GAS VALVE
○	FIRE HYDRANT
○	SEWER MANHOLE
○	CATCH BASIN
○	CURB INLET
○	WATER METER
○	WATER VALVE
○	TRANSFORMER
○	TELEPHONE PEDESTAL
○	CABLE BOX
○	LIGHT POLE
○	POWER POLE
○	CLEAN OUT
○	OVERHEAD UTILITY LINE
○	SEWER LINE
○	FENCE
○	POINT OF BEGINNING
○	P.O.C. Point of Commencement
(M)	MEASURED
(R)	RECORD



GRAPHIC SCALE
 (IN FEET)
 1 inch = 50 ft.