

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY

TECHNICAL REVIEW COMMITTEE

MEETING: June 4, 2019

SUBJECT: Major Site Plan Review/SUP-19-05

PRESENTER: Toby Linville

ATTACHMENTS: Staff Report

SUMMARY OF REQUEST: Major site plan review and special use permit

SUGGESTED MOTION :

I move to approve the major site plan for Meguiar Campground.

I recommend forwarding the special use permit application to the Zoning Board of Adjustment.



Henderson County, North Carolina Code Enforcement Services

1. Committee Request

- 1.1. **Applicant:** Michael and Gwen Meguiar
- 1.2. **Request:** Major Site Plan Review/SUP-19-05
- 1.3. **PIN:** 9682521299
- 1.4. **Size:** 35.74 acres +/-
- 1.5. **Location:** Maynards Way off Terrys Gap Rd.
- 1.6. **Supplemental Requirements:**

SR 4.3. Campground

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Size. No *campground* located on/adjacent to a *residential zoning district* shall contain more than 200 campsites. Individual campsites shall be a minimum of 500 square feet.
- (4) Perimeter Setback. Fifty (50) feet.
- (5) Common Area. A *common area* shall be provided, that is equivalent in square footage to 25 percent the total square footage in: campsites, *structures* on site, parking areas and *driveways*. *Common area* shall be accessible for the *use* and enjoyment of *campground* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
- (6) Operations. The *campground*:
 - a. May contain *structures* ancillary to the use; and
 - b. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs.
- (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 165 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) Common Area Recreation and Service Facilities. Those facilities within the *campground* shall be for the sole purpose of serving the overnight guests in the *campground*, and shall adhere to the development standards established therefore in SR 4.6 (*Common Area Recreation and Service Facilities*).

Map A: Pictometry/Aerial Photography



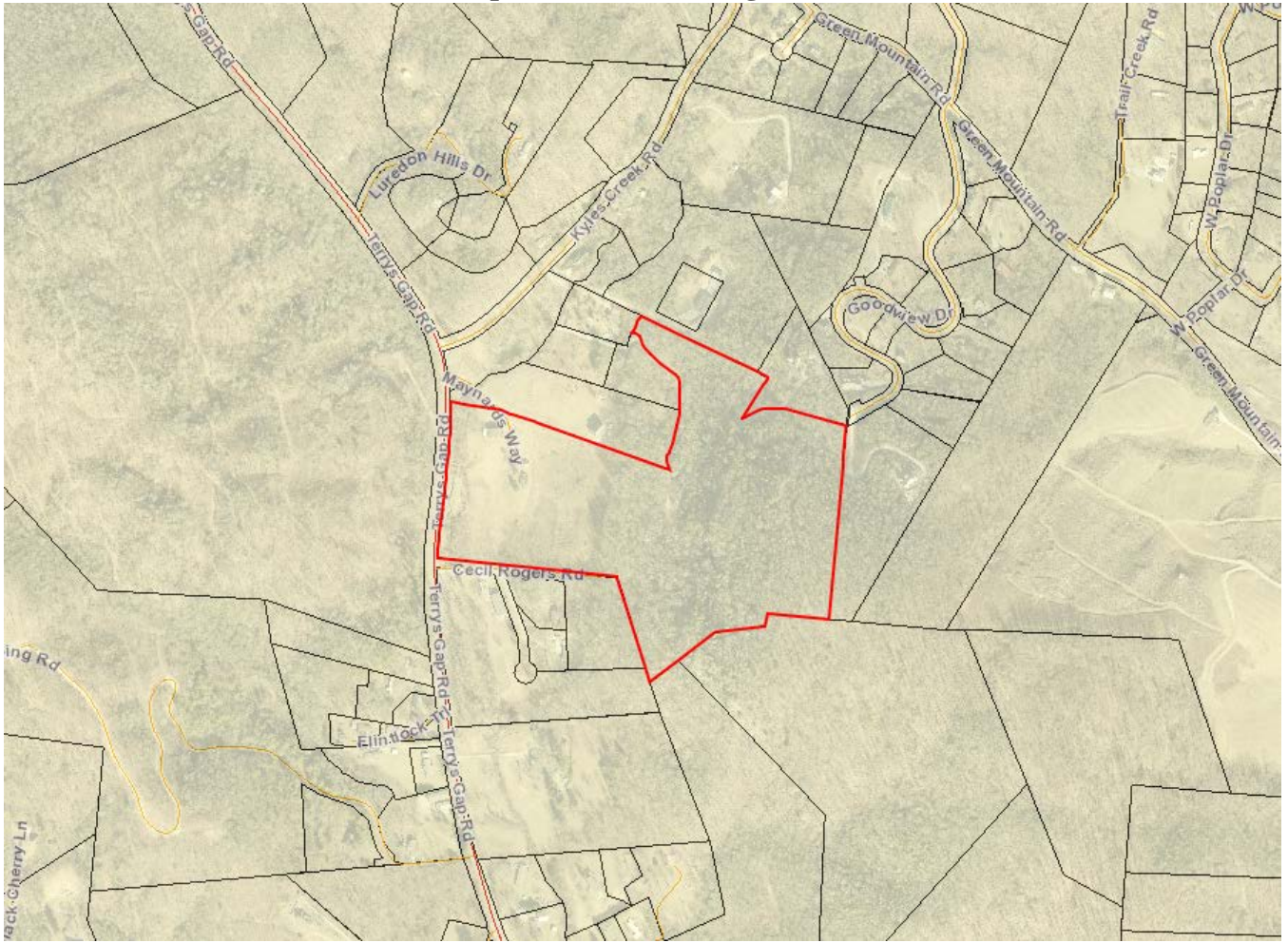
2. Current Conditions

Current Use: This parcel is currently residential

Adjacent Area Uses: The surrounding properties are residential and agricultural.

Zoning: The surrounding properties to are Residential Three.

Map B: Current Zoning



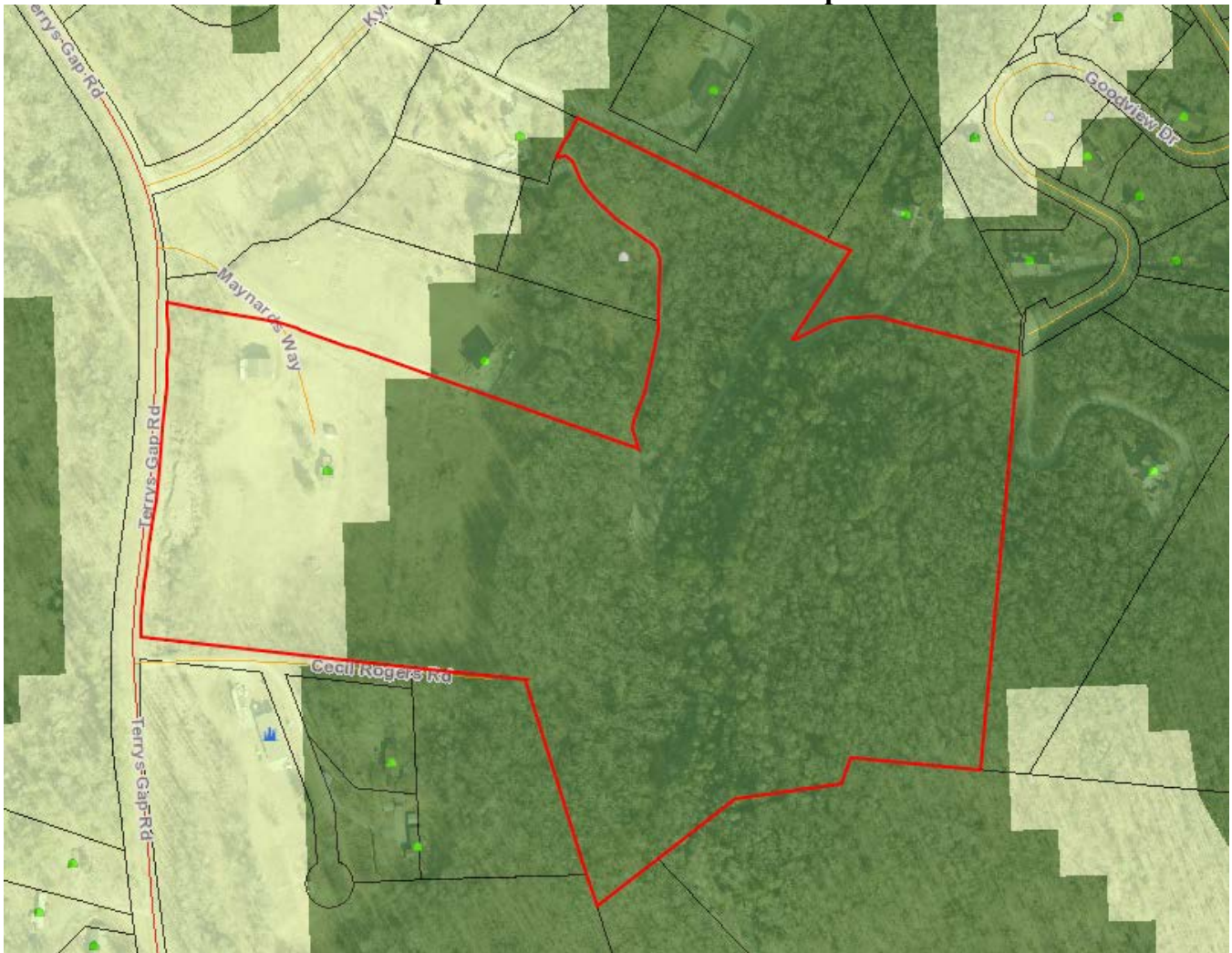
3. Floodplain /Watershed Protection The property is not located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.

4. Water and Sewer This property is served by private well and septic.

Public Water: N/A

Public Sewer: N/A

Map C: CCP Future Land Use Map



5. Comprehensive Plan

The 2020 CCP: The CCP Future Land Use Map places the Subject Area in the Conservation district. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

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:

1. Sensitive natural areas such as steep slopes, floodplains, major wetlands, forest reserves and wildlife conservation areas, and key watersheds
2. Areas of historic and archeological significance
3. Local, state or federally-managed natural areas
4. Areas managed for agricultural or forestry land uses
5. Other areas yet to be defined

6. Staff Recommendations

Staff's Position at this time, under the guidelines of current plans, policies and studies, is to approve 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: Michael & Gwen Mequiar Phone: 630-957-7162

Complete Address: 4 Sterling Oaks Dr. Fletcher, NC 28732

Applicant: gwenmequiar@gmail.com

Name: Gwen Mequiar Phone: 630-957-7162

Complete Address: 4 Sterling Oaks Dr. Fletcher, NC 28732

Agent:

Name: _____ Phone: _____

Complete Address: _____

Agent Form (Circle One): Yes No

Plan Preparer:

Name: Don McEntire Surveying Phone: 828-287-0439

Complete Address: 108 Isham Dr, Rutherfordton, NC 28139

GENERAL INFORMATION

Date of Application: _____

Site Plan Attached (Circle One): Yes No

PARCEL INFORMATION

PIN: 9682521299

Tract Size (Acres): 35.74

Zoning District: _____

Fire District: Fletcher Fire

Supplemental Requirement# _____

Watershed: _____

Permitted by Right _____

Floodplain: NO

Special Use Permit _____

Location / Property to be developed: Address: 103 Maynards Way, Hendersonville, NC
7 proposed campsites 24'x15' each. Common area located in current
structure (1200 sqft).

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: <u>Henderson</u>		
Development Name:		

LOCATION OF PROPERTY:

Route/Road: 103 Maynards Way, Hendersonville, NC 28

Exact Distance Miles Feet N S E W

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 Hendersonville 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.**

SIGNATURES OF APPLICANT

PROPERTY OWNER (APPLICANT)		WITNESS	
COMPANY	X <u>Gwen Mequiar</u>	NAME	X _____
SIGNATURE	<u>Gwen Mequiar</u>	SIGNATURE	_____
ADDRESS	X <u>4 Sterling Oaks Dr.</u>	ADDRESS	X _____
	X <u>Fletcher, NC</u> Phone No. X <u>630-957-7162</u>		X _____

AUTHORIZED AGENT		WITNESS	
COMPANY	_____	NAME	_____
SIGNATURE	_____	SIGNATURE	_____
ADDRESS	_____	ADDRESS	_____
	_____ Phone No. _____		_____

APPROVALS

APPLICATION RECEIVED BY DISTRICT ENGINEER

SIGNATURE

DATE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

SIGNATURE

TITLE

DATE

APPLICATION APPROVED BY DISTRICT ENGINEER

SIGNATURE

DATE

INSPECTION BY NCDOT

SIGNATURE

TITLE

DATE

COMMENTS:

HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM

GENERAL INFORMATION

Date of Application: 5/13/19
 Previously Submitted (Circle One): Yes No
 Date of Pre-Application Conference: _____
 Site Plan Attached (Circle One): Yes No
 Traffic Impact Study Required (Circle One): Yes No

SPECIAL USE PERMIT INFORMATION

Type of use to be permitted: Campground SR #: _____
 Existing Structures or Uses on property: 1 house 1 barn
 Road System (Circle): Public Private
 Water System (Circle): Individual Community Public (Municipal or County)
 Sewer System (Circle): Individual Community Public (Municipal or County)

SITE PLAN REQUIREMENTS

If a minor or major site plan is not specifically required, the applicant shall submit a site plan with the following items:

- Dimensions of property.
- Location of existing and proposed structures (including accessory structures), and general use thereof.
- Setbacks of existing and proposed structures from property lines and edge of right-of-way for roads (from centerline of roads for uses located in the R-40, WR, or SW districts).
- Separation of existing and proposed structures from one another.
- Parking and off/on loading areas
- Location of signs (including sign dimensions, height, type of material, lighting).
- Location and dimensions of existing and proposed roads / driveways and their entrance/exits.
- Location of dumpsters.
- Location and general description of any fences, landscaping or other buffering (proposed or existing).

Site plan not to exceed 11 X 17 size. Anything submitted larger than 11 X 17, the applicant must provide 12 copies with the application form.

PARCEL INFORMATION

PIN: 9682521299 Deed Book/Page: _____ Tract Size (Acres): _____
 Zoning District: _____ Fire District: Fletcher Watershed: _____ Floodplain: _____
 Location of property to be developed: Address 103 Maynards Way, Hendersonville NC
7 proposed campsites 24x15 each. Common area located
in current structure (1200 sqft)

CONTACT INFORMATION**Property Owner:**

Name: Gwen Meguiar Phone: 630-957-7162
 Address: 4 Sterling Oaks Dr City, State, and Zip: Fletcher, NC 28732

Applicant:

Name: Gwen Meguiar Phone: 630-957-7162
 Email: gwenmeguiar@gmail.com

Application No. _____

Address: _____ City, State, and Zip: _____

Agent:

Name: _____ Phone: _____

Address: _____ City, State, and Zip: _____

Agent Form (Circle One): Yes No

Plan Preparer:

Name: _____ Phone: _____

Address: _____ City, State, and Zip: _____

STANDARDS FOR REVIEW

The Land Development Code imposes the following GENERAL REQUIREMENTS on the use requested by the applicant. Under each requirement, the applicant should explain, where applicable, how the proposed use satisfies these requirements:

A. General Requirement #1: The use will not materially endanger the public health, safety or welfare:

No. The property plan will only house 7 campsites and will not be harmful to neighboring properties.

B. General Requirement #2. The use will not substantially injure the value of property or improvements in the area.

No. The campsite will be located in the wooded area and will not be an injury to property in the area

C. General Requirement #3. The use will be in harmony with the surrounding area.

yes. The property will be in harmony with surrounding properties.

The Land Development Code also imposes the following SPECIFIC REQUIREMENTS on the use requested by the applicant. The applicant should be prepared to demonstrate that satisfactory provisions have been made for the following, where applicable.

The proposed use shall be located and developed in such a manner as to:

a. Comply with all applicable local, state and federal statutes, ordinance and regulations.

yes

b. Be in accordance with the Comprehensive Plan, Long Range Transportation Plans and Comprehensive Transportation Plans of the county and/or Long Range Transportation Plans and comprehensive Transportation Plans of any municipality of the County.

yes

- c. Minimize the effects of noise, glare, dust, solar access and odor on those persons residing or working in the neighborhood of the proposed use.

yes

- d. Minimize the environmental impacts on the neighborhood including the following groundwater, surface water, wetlands, endangered/threatened species, archeological sites, historic preservation sites and unique natural areas.

yes

Show that satisfactory provision/arrangement has been made (where applicable or required) concerning:

- a. Ingress and egress to property and proposed structures thereon (with particular reference to automotive/pedestrian safety/convenience and traffic flow/control).

Included in the site plan

- b. Off-street parking and loading areas.

Included in the site plan

- c. Utilities (with particular reference to locations, availability and compatibility).

Included in the site plan

- d. Buffering and landscaping (with particular reference to type, location and dimensions).

Included in the site plan

- e. Structures (with particular reference to location, size and use).

Included in the site plan

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

Gwen Meguiar

Print Applicant (Owner or Agent)

Gwen Meguiar

Signature Applicant (Owner or Agent)

5/13/19

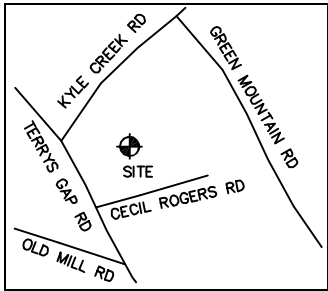
Date

County Use Only

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

Authority to grant the requested permit is contained in the Land Development Code, Sections: _____

Community Planning Area: _____



VICINITY MAP
(not to scale)

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, Review Officer of Henderson County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer _____

Date: _____

Maynards Way
Centerline of 45' Right of Way as described at Map Slide 2013-9053

R35	S 73°11'28"	E 68.86'
R36	S 68°09'14"	E 21.62'
R37	S 58°07'27"	E 16.64'
R38	S 49°30'54"	E 40.67'
R39	S 48°20'37"	E 132.31'
R40	S 37°08'27"	E 27.79'

LINE	BEARING	DISTANCE
L1	N 73°13'51"	E 105.81'
L2	N 65°48'23"	E 99.56'
L3	N 54°24'26"	E 78.95'
L4	N 49°10'29"	E 97.25'
L5	N 47°41'53"	E 113.25'
L6	N 46°33'55"	E 92.44'
L7	N 46°33'55"	E 15.76'
L8	S 61°15'00"	E 32.31'
L9	S 61°15'00"	E 108.80'
L10	S 61°15'00"	E 5.26'
L11	S 31°33'02"	W 108.27'
L12	S 23°02'59"	W 117.34'

CALLS CENTERLINE OF THE CREEK ARE MEANDER CALLS, THE CENTERLINE OF THE CREEK IS THE LINE

L13	S 39°05'02"	W 68.10'
L14	S 40°52'18"	W 39.94'
L15	S 44°02'59"	W 61.68'
L16	S 61°31'41"	W 31.70'
L17	S 85°35'22"	W 13.23'
L18	S 62°28'59"	W 77.82'
L19	S 84°41'12"	W 73.06'
L20	S 53°13'40"	W 92.00'

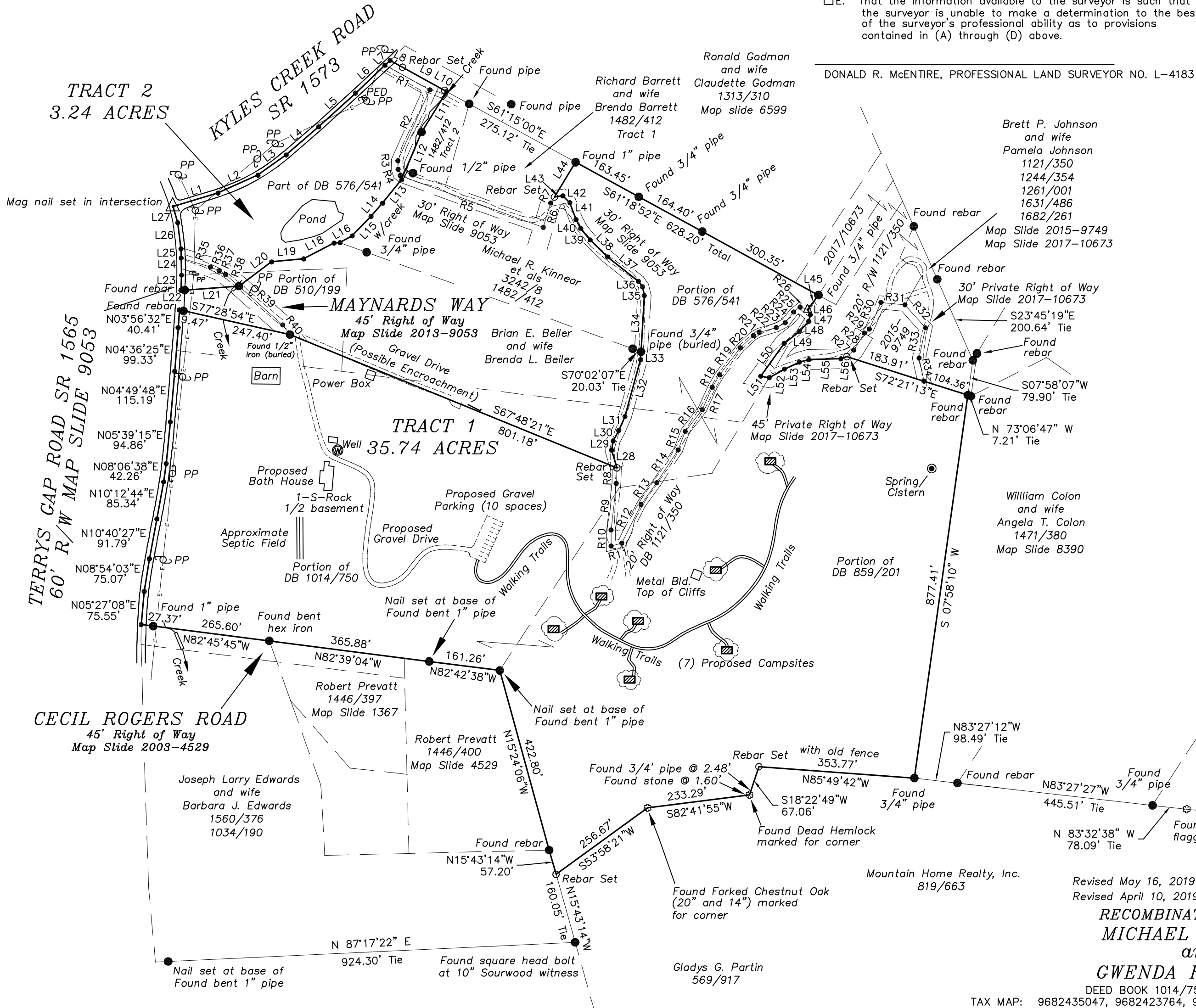
L21	S 85°45'05"	W 123.41'
L22	S 85°45'05"	W 8.71'
L23	N 02°29'09"	E 34.45'
L24	N 01°16'32"	W 38.61'
L25	N 01°16'32"	W 21.13'
L26	N 07°06'55"	W 59.92'
L27	N 15°57'56"	W 38.14'

LINE	BEARING	DISTANCE
L28	N 16°24'06"	W 41.87'
L29	N 09°26'52"	E 21.24'
L30	N 27°43'16"	E 26.76'
L31	N 23°56'05"	E 34.82'
L32	N 15°23'05"	E 133.92'
L33	N 03°22'22"	E 17.89'
L34	N 03°22'09"	E 127.68'
L35	N 12°09'00"	W 20.51'
L36	N 37°17'18"	W 15.36'
L37	N 51°28'14"	W 88.79'
L38	N 45°51'06"	W 55.40'
L39	N 39°39'09"	W 33.77'
L40	N 27°40'51"	W 22.86'
L41	N 20°13'39"	W 41.27'
L42	N 46°27'49"	W 22.33'
L43	S 81°12'14"	W 18.83'
L44	N 31°14'53"	E 92.43'
L45	S 36°35'54"	W 40.92'
L46	S 27°07'56"	E 13.35'
L47	S 13°47'00"	W 15.56'
L48	S 42°34'52"	W 31.08'
L49	S 52°11'05"	W 43.51'
L50	S 35°35'30"	W 91.93'
L51	S 80°24'00"	E 19.77'
L52	N 60°43'50"	E 39.48'
L53	N 64°32'56"	E 37.31'
L54	N 75°11'24"	E 22.56'
L55	N 88°37'07"	E 72.51'
L56	N 70°21'05"	E 14.40'

LEGEND

- FOUND IRON PIN (EIP)
 - SET IRON PIN (NIP)
 - POINT
 - ▲ NAIL OR RAILROAD SPIKE
 - ⊕ HYDRANT
 - TELEPHONE PEDESTAL (PED)
 - ☆ LIGHT POLE OR LAMP
 - ⊙ UTILITY POLE
 - ⊗ WATER VALVE
 - ⊙ WATER METER (wm)
 - ⊗ GAS VALVE
 - ⊙ SEWER MANHOLE
 - ⊙ CONCRETE MONUMENT
 - ⊙ RIGHT OF WAY MONUMENT
 - STONE
- Property Line
 - - - Adjoiners (Surveyed)
 - - - Adjoiners (not surveyed)
 - - - Right of Way
 - - - Utility Lines
 - - - Asphalt
 - - - Gravel

No incremental lighting is to be added.
 Lighting mitigation will be required if outdoor lighting is added.
 Private garbage collection will be provided.
 2' contour interval shown taken from NC Onemap.
 The subject tract does not lie within a flood plain.
 Subject to the right of way for Kyle's Creek Road, Terry's Gap Road, Maynard's Way, Cecil Rogers Road, driveway rights of way and all others of record.
 Survey is being performed without the benefit of a title search.

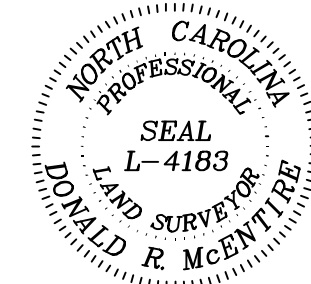


I, Donald R. McEntire, Professional Land Surveyor No. L-4183, certify to one or more of the following as indicated thus, or :

- A. That this plat is of a survey that creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land;
- B. That the survey is located in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land;
- C. That this plat is of a survey of an existing parcel or parcels of land.
- D. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision; That the information available to the surveyor is such that the surveyor is unable to make a determination to the best of the surveyor's professional ability as to provisions contained in (A) through (D) above.
- E.

I, Donald R. McEntire, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book 1014, Page 750); that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, Page _____; that the ratio of precision as calculated is 1:10000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my hand and seal this _____ 15th _____ day of _____ March _____ A.D. 2019.

Signature _____
 Land Surveyor
 Licensure Number L-4183



DONALD R. McENTIRE, PROFESSIONAL LAND SURVEYOR NO. L-4183

Centerline of 30' Right of Way as described at Map Slide 2013-9053

LINE	BEARING	DISTANCE
R1	S 61°15'00"	E 116.40'
R2	S 24°21'10"	W 176.35'
R3	S 01°28'19"	E 19.81'
R4	S 19°13'35"	E 14.72'
R5	S 70°03'11"	E 345.18'

Centerline of 45' Right of Way as described at Map Slide 2013-9053

R6	N 16°57'12"	E 57.78'
R7	S 31°14'53"	E 16.09'

Centerline of 20' Right of Way as described at Deed Book 1121 Page 350

R8	S 02°10'53"	W 35.27'
R9	S 06°21'47"	W 106.38'
R10	S 00°17'54"	W 36.39'
R11	N 75°30'32"	E 25.24'
R12	N 26°23'59"	E 98.06'
R13	N 35°47'38"	E 61.31'
R14	N 33°15'26"	E 88.67'
R15	N 20°42'53"	E 45.06'
R16	N 38°07'02"	E 62.68'
R17	N 24°03'58"	E 55.60'
R18	N 30°03'17"	E 32.99'
R19	N 37°56'03"	E 77.18'
R20	N 46°21'39"	E 40.74'
R21	N 62°34'13"	E 14.95'
R22	N 73°51'18"	E 40.27'
R23	N 61°56'51"	E 23.01'
R24	N 37°52'34"	E 30.83'
R25	N 52°11'17"	E 18.54'
R26	S 71°35'47"	E 18.05'

Centerline of 45' Right of Way as described at Map Slide 2017-10673

R27	N 45°55'44"	E 21.52'
R28	N 32°10'54"	E 45.46'

Centerline of 20' Right of Way as described at Map Slide 2017-10673

R29	N 50°59'07"	E 14.60'
R30	N 23°22'20"	E 65.69'

Centerline of 30' Right of Way as described at Map Slide 2017-10673

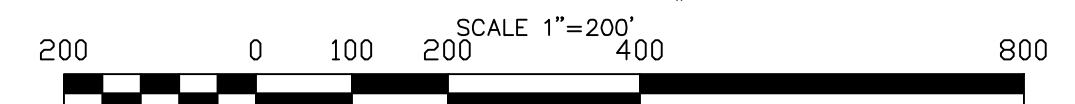
R31	S 84°27'24"	E 55.00'
R32	S 41°47'35"	E 69.95'
R33	S 11°58'38"	W 70.00'
R34	S 12°08'13"	E 53.95'

Revised May 16, 2019 to show proposed parking and driveway.
 Revised April 10, 2019 to show proposed campsites.

**RECOMBINATION SURVEY FOR
 MICHAEL COLE MEGUIAR
 and wife
 GWENDA RENE MEGUIAR**

DEED BOOK 1014/750, 576/541, 859/201, 510/199
 TAX MAP: 9682435047, 9682423764, 9682423772, 9682524731, 9682426269, 9682525152
 HEIRS OF ELLIS B. LYDA, 2011-E/757
 MAP SLIDE 9053, 9749, 10673
 ZONED: R3
 CLEAR CREEK TOWNSHIP HENDERSON COUNTY, NC
 FIELD: EM,TW,JM MAP: D. McENTIRE
 DATE: MARCH 15, 2019 MAP#: 19-0912

Current Owner: Ellis B. Lyda
 2011/757



DONALD McENTIRE SURVEYING
 108 ISHAM DRIVE
 RUTHERFORDTON, NC 28139
 PHONE: (828) 287-0439
 EMAIL: dmcentire@bellsouth.net