

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
ZONING BOARD OF ADJUSTMENT

MEETING: **October 1, 2019**

SUBJECT: **Major Site Plan Review for Willow Falls Events**

PRESENTER: **Toby Linville**

ATTACHMENTS: **Staff Report**

SUMMARY OF REQUEST:

Special Use Permit application for a small place of assembly for receptions.

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The applicant is requesting a Special Use Permit to allow the use of this property for a small place of assembly for wedding receptions and other gatherings.

Staff requests that the ZBA review the application and make a decision based on evidence presented for this project.

Suggested Motion:

I move to approve/deny SUP-19-10 for Michele French with the following conditions:

Meet requirements of SR 5.17. *Place of Assembly, Small*

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Structure. A *structure* shall be designed to accommodate a maximum of 250 persons. Persons shall include all event attendees (guest, hired staff, event workers, etc.).
- (4) Perimeter Setback. One hundred (100) feet. No parking shall be allowed within the setback area.
- (5) Buffer. A B2 buffer is required per Table 5.2 Buffer Width and Plant Material Requirement.

The use will:

- a) **Not materially endanger the public health, safety or welfare;**
- b) **Not substantially injure the value of the property or improvements in the area; and**
- c) **Be in harmony with the surrounding area.**



Henderson County, North Carolina Code Enforcement Services

1. Committee Request

- 1.1. **Applicant:** Michele French
- 1.2. **Request:** Major Site Plan Approval-Special Use Permit
- 1.3. **PIN:** 9557362678
- 1.4. **Size:** 3.99 acres +/-
- 1.5. **Location:** The subject area is located at 125 Little Willow Cir
- 1.6. **Supplemental Requirements:**

SR 5.17. Place of Assembly, Small

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Map A: Pictometry/Aerial Photography



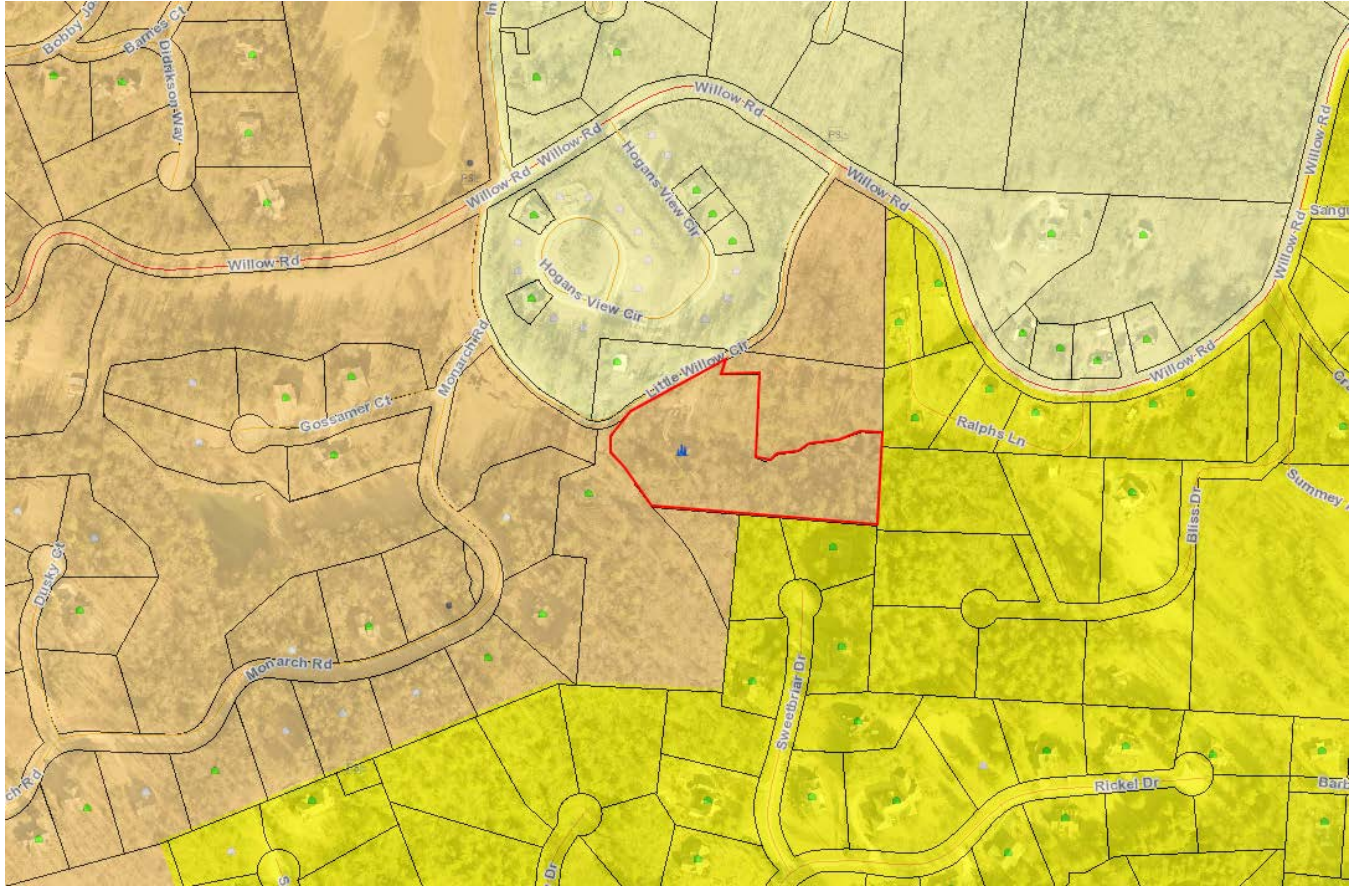
2. Current Conditions

Current Use: This parcel is currently in Residential Use.

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

Zoning: The surrounding properties are zoned Residential Two Rural (R2R). Property north is Residential Three (R3) and property south is Estate Residential (R40).

Map B: Current Zoning



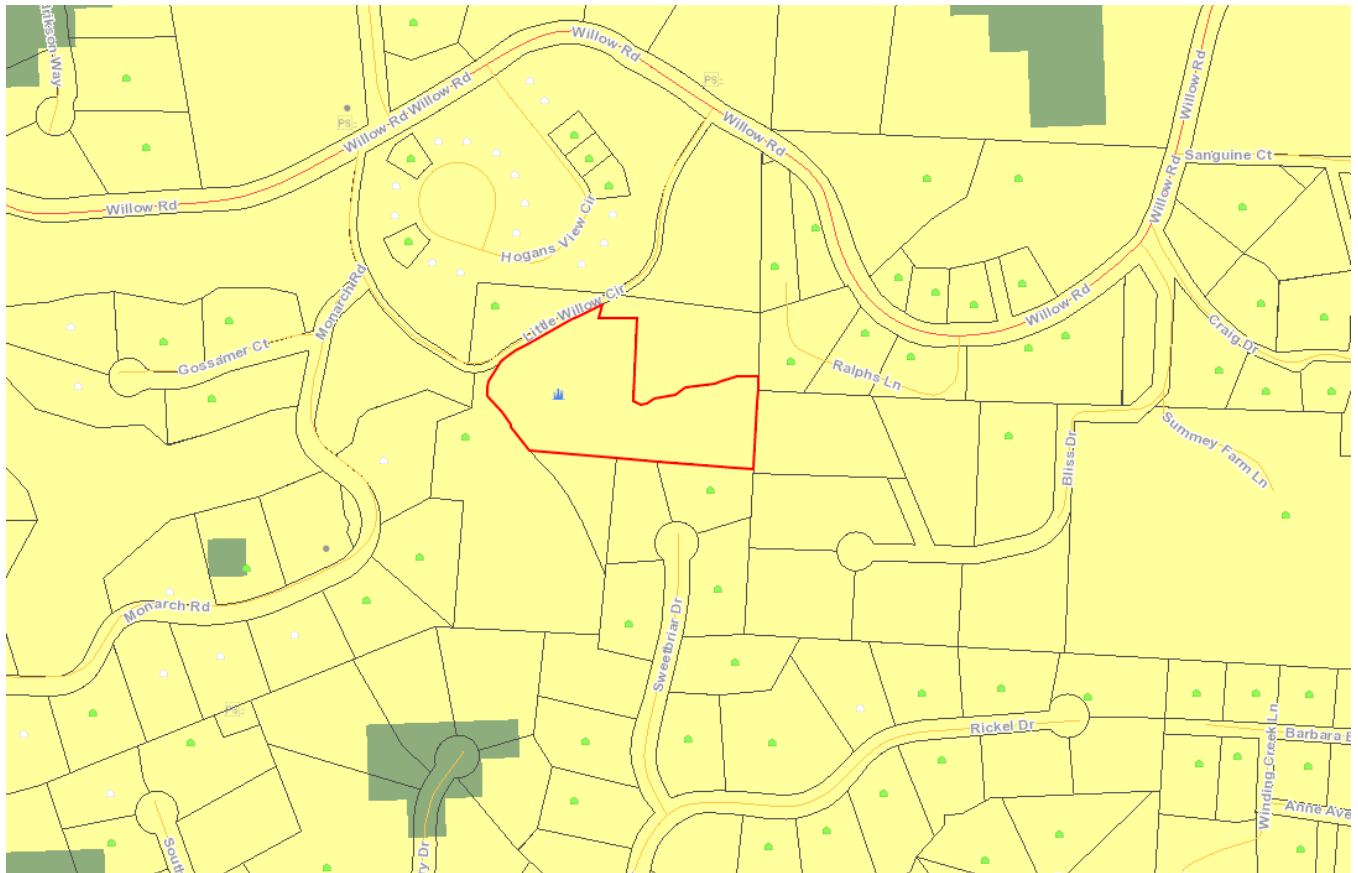
3. Floodplain /Watershed Protection The property is not located in a Special Flood Hazard Area. The parcel is not located in a Water Supply Watershed district.

4. Water and Sewer This property will be served by public water and septic.

Public Water: City of Hendersonville

Public Sewer: Unavailable

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 Urban Service Area classification. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

1. The Urban Services Area is that area within which most urban services and urban- scale development is currently concentrated, and within which such development should generally be concentrated through the year 2020.
2. Growth and development will be proactively managed through extensive planning. Much of the USA falls within municipal planning jurisdictions and will be managed by those jurisdictions. Land use planning for areas falling within the County’s jurisdiction should be comparable and compatible in its approach and intensity with planning conducted within the various municipal jurisdictions.

6. Staff Recommendations

Staff recommends approval of the major site plan and forwarding the application to the Zoning Board of Adjustment for review.

7. Photographs and Site Plan

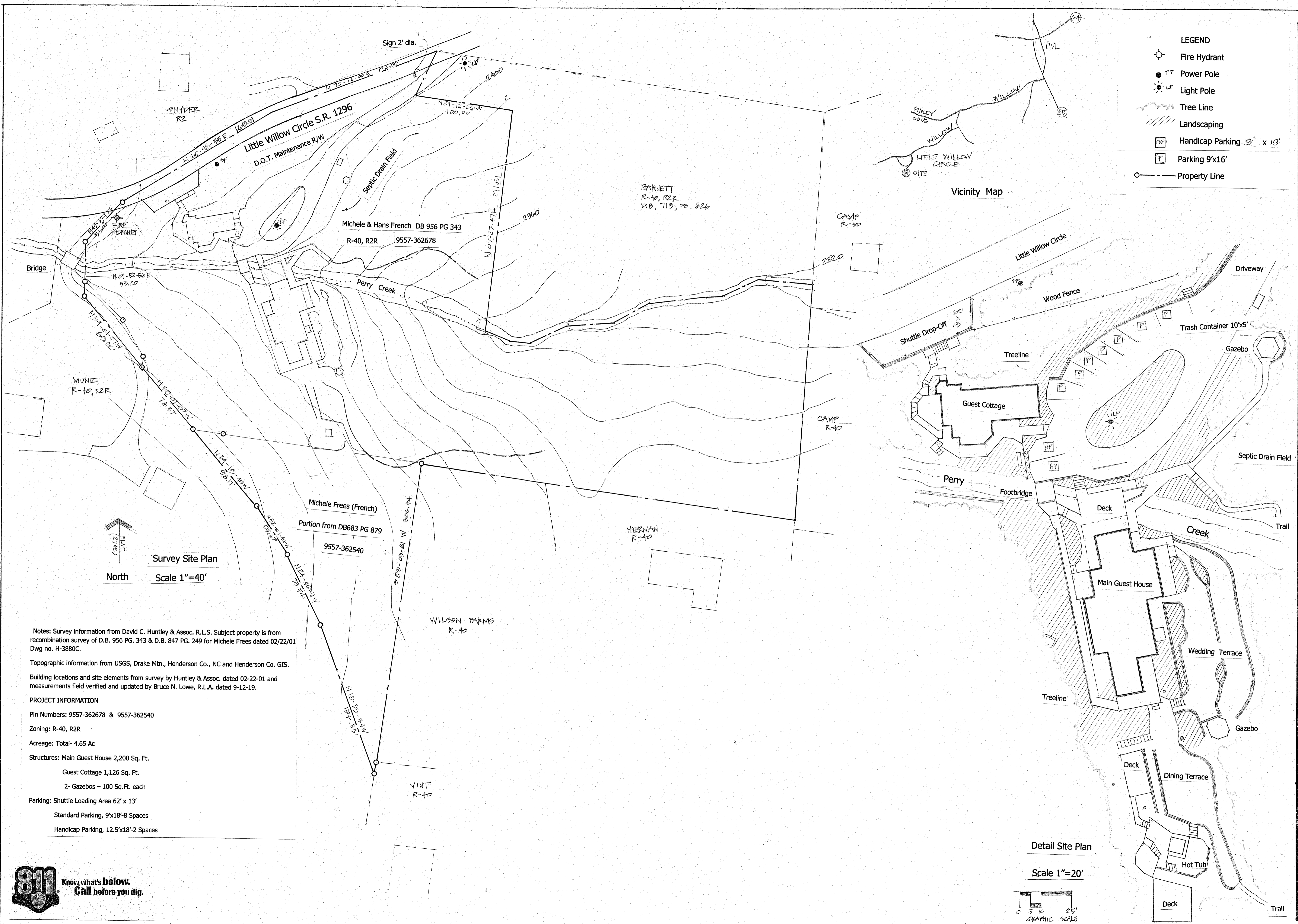












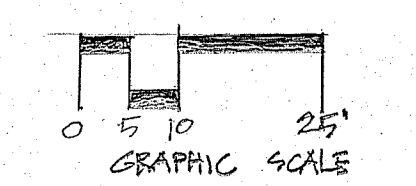
- LEGEND**
- Fire Hydrant
 - Power Pole
 - Light Pole
 - Tree Line
 - Landscaping
 - Handicap Parking 8' x 13'
 - Parking 9'x16'
 - Property Line

Vicinity Map

Survey Site Plan
 Scale 1"=40'
 North

Detail Site Plan

Scale 1"=20'



Notes: Survey information from David C. Huntley & Assoc. R.L.S. Subject property is from recombination survey of D.B. 956 PG. 343 & D.B. 847 PG. 249 for Michele Frees dated 02/22/01 Dwg no. H-3880C.

Topographic information from USGS, Drake Mtn., Henderson Co., NC and Henderson Co. GIS.

Building locations and site elements from survey by Huntley & Assoc. dated 02-22-01 and measurements field verified and updated by Bruce N. Lowe, R.L.A. dated 9-12-19.

PROJECT INFORMATION

Pin Numbers: 9557-362678 & 9557-362540

Zoning: R-40, R2R

Acreage: Total- 4.65 Ac

Structures: Main Guest House 2,200 Sq. Ft.

Guest Cottage 1,126 Sq. Ft.

2- Gazebos - 100 Sq.Ft. each

Parking: Shuttle Loading Area 62' x 13'

Standard Parking, 9'x18'-8 Spaces

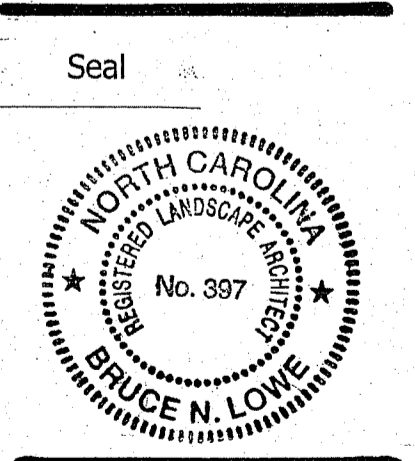
Handicap Parking, 12.5'x18'-2 Spaces



SITE PLAN
WILLOW FALLS EVENTS
 125 Little Willow Circle
 Hendersonville, NC 28739

Michele Frees (French) Owner
 828-243-7662

lowela studio
 Bruce N. Lowe, Landscape Architect
 325 Woodland Meadow Drive
 Mills River, NC 28759
 828.674.0819 | lowela49@gmail.com



Date Sept. 16, 2019

Revisions Date

**HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

GENERAL INFORMATION

Date of Application: 9/3/19
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: Small Events Venue Permit SR #: _____
Existing Structures or Uses on property: 2 Private Homes on the property
Road System (Circle): Public Private same owner
Water System (Circle): Individual Community Public (Municipal or County) Large outdoor Decks + Patio
Sewer System (Circle): Individual Community Public (Municipal or County)
Private Septic

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

Book 3152
PIN: 9557362678 Deed Book/Page: Page 6 Tract Size (Acres): _____
Zoning District: Henderson Fire District: Valley Hill Watershed: _____ Floodplain: outside of floodplain
Location of property to be developed: Around our two private homes, and 4 acres of property

CONTACT INFORMATION

Property Owner:
Name: Michele + Hans French Phone: 828.243.7662
Address: 125 Little Willow Circle City, State, and Zip: Henderson County 28739
Applicant:
Name: Michele French Phone: 828.243.7662
Michele@willowfalls-events.com lowela49@gmail.com

Address: _____ City, State, and Zip: _____

Agent:

Name: NA Phone: _____

Address: _____ City, State, and Zip: _____

Agent Form (Circle One): Yes No

Plan Preparer:

Name: NA 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:

Not at all

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

On the contrary it will improve the value of the property and will increase its value

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

yes

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
We will enforce all noise ordinances at all events

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 nay 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.

We have hired an incredible landscape and maintenance crew. The property is kept immaculate

- 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.

we will and do.

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).

yes.

- b. Off-street parking and loading areas.

Yes

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

yes

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

we have fenced the property on the road and planted a barrier of mature trees for privacy and noise buffering

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

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

Michele French

Print Applicant (Owner or Agent)

Michele French

Signature Applicant (Owner or Agent)

9/3/19
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: _____

September 11, 2019

Henderson County, North Carolina

Code Enforcement Services

Jacob Compher, Zoning Enforcement Officer

100 King Street

Hendersonville, NC 28792

From: Phillip and Becky Muniz

183 Little Willow Circle

Hendersonville, NC 28739

Cells (828)691-2558 and (828)691-8877

Re: Alleged disturbances on Little Willow Circle/Willow Falls Wedding and Event Venue

To Whom It May Concern:

We are Phillip and Becky Muniz residing at 183 Little Willow Circle and have adjoining property with Willow Falls Wedding and Event Venue with Michele French as the owner. We understand there has been a complaint issued against her for the use of weddings on the grounds and possibly when music is being played. We honestly have had no problems or personal inconveniences with any event or wedding or when music has been playing. We only had one instance where a guest accidentally parked in our drive, but the wedding planner was so apologetic and immediately had the issue resolved.

Willow Falls' guests have been very polite and seem to be conscious of being located in a neighborhood with houses in close proximity. We have been made aware of the scheduled weddings and the cutoff time for the music and every time like clockwork at 10 pm the music is off or so very low that you have to strain to even hear it. But if music after 10 pm is played, it is only through the house music center and never through any commercial devices.

We personally enjoy hearing the music coming up our way and we have spoken with our neighbors across the street sometime last year and they also stated the music has never been a problem for them. We hope this venue will continue and have much success. The way the French's property is kept for the weddings we feel adds so much more value and charm to our area and especially to our property.

Thank you for taking time to read our recommendation and affirmation of the Willow Falls Wedding and Event Venue.

Sincerely,

Phillip & Becky Muniz

Phillip and Becky Muniz

To: Whom it may concern

From: Verne Snyder
146 Little Willow Circle
Hendersonville, NC
TEL (828) 595-4376

Re: Alleged disturbances on Little Willow (?)

Date: September 4, 2019

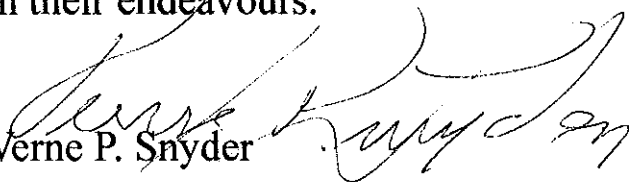
My name is Verne Snyder and my home is all but adjacent to and only a few feet from Willow Falls, which occasionally hosts weddings and other similar events.

Since Willow Falls began hosting such events about four years ago, I am unaware of of a single instance in which I or my wife have been inconvenienced or have witnessed anything approaching even the most slight nuisance disturbance.

The guests have always approached me in a friendly, polite manner. As a simple courtesy, the owners/ operators have gone out of their way to keep us apprised of upcoming events. [Although irrelevant to the current issue, I wish to add that on rare occasions their employees have even assisted me with moving furniture and the like.]

In every way the French family has proven to be fine, considerant neighbors, and I hope this note serves to clarify whatever the issue at hand may be.

In every way they have been accommodating, and I wish them every success in their endeavours.


Verne P. Snyder