

REQUEST FOR COMMITTEE ACTION
HENDERSON COUNTY
Technical Review Committee

MEETING DATE: August 18, 2020

SUBJECT: Major Site Plan for Ball Family Cemetery

PRESENTER: Toby Linville, Code Enforcement Director

ATTACHMENTS:

1. Staff Report
2. Photographs
3. Site Plan

SUMMARY OF REQUEST:

Major site plan review for a family cemetery.

Suggested Motion:

I move to approve the site plan for Ball Family Cemetery because it meets the requirements of the Land Development Code.



Henderson County, North Carolina Code Enforcement Services

1. Board Request

- 1.1. **Applicant:** Charles and Troylyn Ball
- 1.2. **Request:** Major Site Plan Review for a family cemetery
- 1.3. **PIN:** 9662064570
- 1.4. **Size:** 6.57 acres +/-
- 1.5. **Location:** The subject area is located behind 197 Jackson Rd
- 1.6. **Supplemental Requirements:**

SR 5.3. Cemetery, Family

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Plot Setback. Plots shall be:
 - a. Twenty (20) feet from any property line.
 - b. One hundred (100) feet from any structure.
 - c. One hundred (100) feet from an existing well.
 - d. One hundred (100) feet from the high-water mark of any spring, stream, lake, reservoir or other know source of water. Family cemeteries shall not be located in a *special flood hazard area*.
- (3) Security. The family cemetery shall be enclosed by a fence or wall at least four (4) feet in height constructed of metal, masonry or stone.
- (4) Private/Public Easement. A minimum twenty (20) foot private or public *easement* shall be recorded to provide access to a family cemetery.
- (5) Certification, Licensure and Permitting. A family cemetery shall comply with all applicable local, state and federal environmental and public health laws (including the requirements of N.C.G.S. 65-Cemeteries).
- (6) Plat. A family cemetery shall be recorded on a plat in the Register of Deeds office.
- (7) Marker. Each container of human remains shall be buried beneath the surface of the ground and shall be indicated by a permanent visible marker or monument. The marker or monument should be made of granite or bronze, mounted on at least a four inch concrete base and have a minimum dimension of one (1) foot wide by two (2) feet tall and be four (4) inches thick. The marker should be placed as soon as practicable after the remains are interred and shall bear the name, year of birth and year of death of the deceased.
- (8) Responsibility. The owner of any property which contains all or part of a family cemetery is responsible for maintaining the family cemetery in compliance with local, state and federal regulations.

Map A: Aerial Photo/Pictometry



2. Current Conditions

2.1 Current Use: This parcel is currently residential.

2.2 Adjacent Area Uses: The surrounding properties consist of residential, agricultural and former Southern Tee Golf (Town of Fletcher).

2.3 Zoning: The surrounding properties are zoned Residential Two Rural (R2R).

Map B: Current Zoning



3. Floodplain /Watershed Protection: The parcel is not in special flood hazard area. The property is not in a Water Supply Watershed district.

4. Water and Sewer: Private well and septic.

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 Urban Service Area (USA). 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'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. **Site Plan and Photographs**



**HENDERSON COUNTY
SUBDIVISION APPLICATION FORM**
(Please fill out all applicable items)

SUBDIVISION INFORMATION

Subdivision Name: _____

Subdivision Type (Circle One): Major Minor Non-Standard Special

Proposed Use of Property (Circle One): Residential Commercial Industrial

Conservation Subdivision: Yes No Gated entrance to property: Yes No

Existing Number of Lots: 1 Total Number of Proposed Lots: 2

Total Number Proposed Units: 1 + CEMETARY Proposed Density (units per acre): 1/6 AC

Road System: () Public () Private () Combination Public and Private

Water System: () Individual () Community () Municipal

Sewer System: () Individual () Community () Municipal

PARCEL INFORMATION

PIN: 9662064570 Total Acreage: 6.74 Deed Book/Page: 3453/31 Township _____

Location of property to be divided: 197 JACKSON RD

Zoning District: _____ Fire District: _____

Water Supply Watershed: _____ School District: _____

Any portion of property within or containing the following:

Floodplain or floodway: Yes No Perennial streams: Yes No

Protected mountain ridges: Yes No Cemetery: PEPPER BO Yes No

Within 1/2 mile of a Farmland Preservation District: Yes No

Adjacent to a Farmland Preservation District: Yes No

CONTACT INFORMATION

Property Owner:
Name: CHARLES BALL
TROY LYN BALL Phone: 828-337-5955
Address: POB 5199 City, State, Zip: ASHEVILLE, NC 28813

Applicant:
Name: CHARLES BALL Phone: 828-337-5955
Address: SAME City, State, Zip: SAME

Agent: Agent Form (Circle One): Yes No
Name: _____ Phone: _____
Address: _____ City, State, Zip: _____

Plan Preparer:
Name: LUCAS BEGEE LAND SURVEYING Phone: 828-488-4849
Address: 234 BRAYSON WALK City, State, Zip: BRAYSON CITY, NC 28713

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

CHARLES BALL _____ 8/7/20
Print Applicant (Owner or Agent) Signature Applicant (Owner or Agent) Date

County Use Only

HENDERSON COUNTY
MAJOR SITE PLAN REVIEW APPLICATION

CONTACT INFORMATION

Property Owner: CHARLES EDWARDS BAW AS TRUSTEE OF THE CHARLES EDWARDS BAW REVOLVABLE TRUST
Name: TRAYLYN WIGGINGTON BAW AS TRUSTEE OF THE TRAYLYN WIGGINGTON BAW REVOLVABLE TRUST Phone: 828-337-5955
Complete Address: POB 5199 ASHVEVILLE, NC 28813

Applicant:
Name: SAMUE AS ABOVE Phone: SAMUE
Complete Address: SAMUE

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

Plan Preparer:
Name: TUCKAS EEBEE LAND SURVEYING Phone: 878-488-4848
Complete Address: 234 BEYSON WALK, BEYSON CITY, NC 28713

GENERAL INFORMATION

Date of Application: 8/7/20
Site Plan Attached (Circle One): Yes No

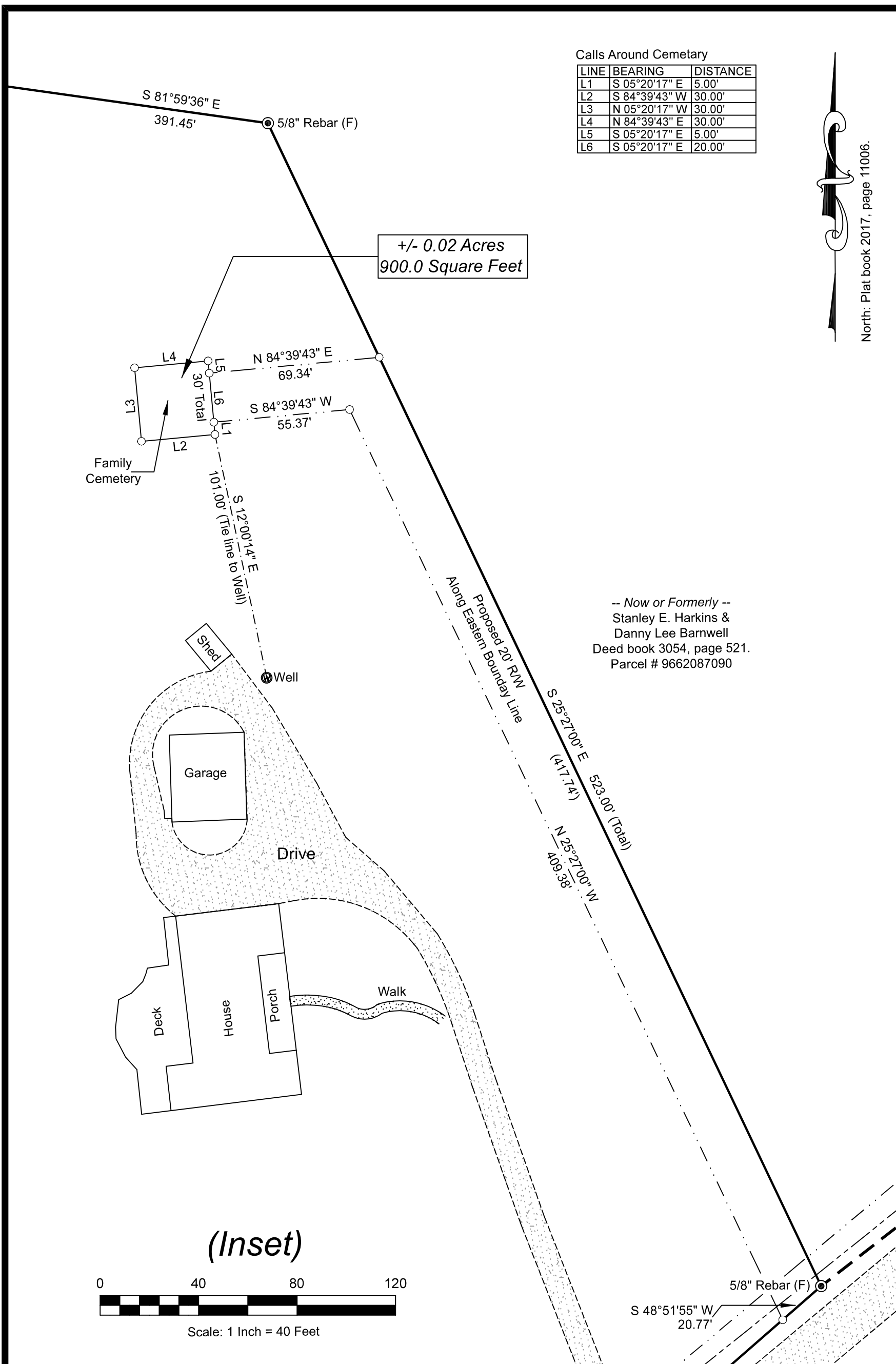
PARCEL INFORMATION

PIN: 9662064570 Tract Size (Acres): 6.74 AC
Zoning District: _____ Fire District: _____
Supplemental Requirement# _____ Watershed: _____
Permitted by Right _____ Floodplain: _____
Special Use Permit _____

Location / Property to be developed: 197 JACKSON RD

County Use Only

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



Legend

- Iron or Monument Found or Set
- Calculated Point (Nothing Found or Set)
- ⚡ Power Pole or Telephone Pole
- Boundary Line
- - - Right of Way Line
- · - Tie Line
- · - Adjoiner Line
- · - Power Line
- · - Fence Line
- Found (F)
- Set (S)
- Open Top Pipe (OTP)
- 5/8" Rebar Set (RBS)

North: Plat book 2017, page 11006.

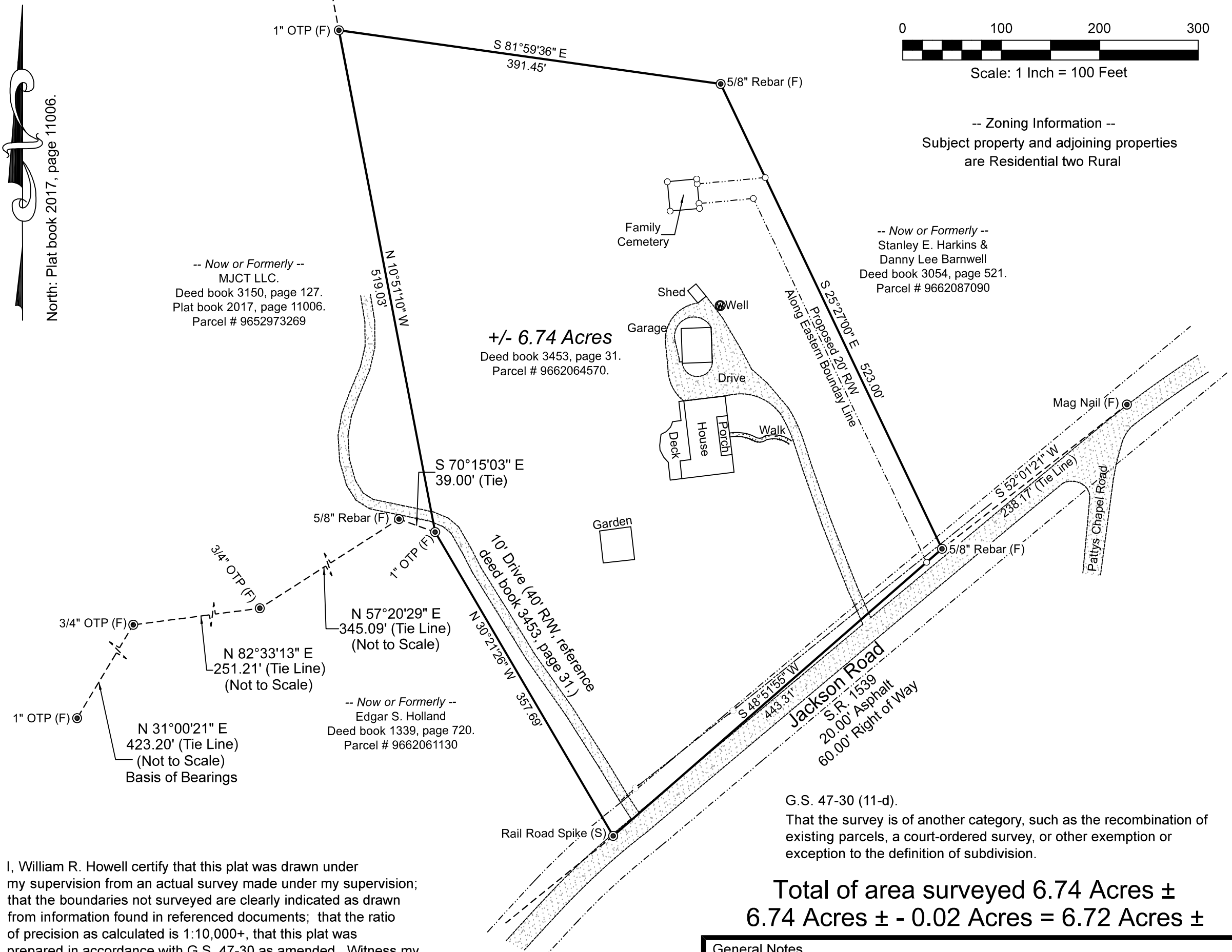
State of North Carolina, County of Henderson
I, _____, Review Officer of
Henderson County, certify that the map or plat to which this
certification is affixed meets all statutory requirements for recording

Review Officer _____ Date _____

State of North Carolina, County of Henderson
Filed for registration on the _____ day of _____
2020 at _____ o'clock _____ M and recorded in Plat Cabinet _____ at
Slide _____.

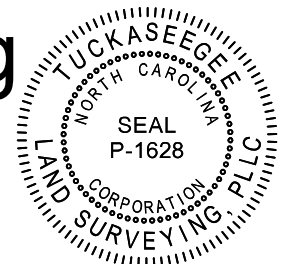
Register of Deeds - Henderson County

-- Now or Formerly --
Stanley E. Harkins &
Danny Lee Barnwell
Deed book 3054, page 521.
Parcel # 9662087090



Plat prepared for
Charles Edwards Ball as Trustee of the Charles Edwards Ball Revocable Trust & Troylyn Wigginton Ball as Trustee of the Troylyn Wigginton Ball Revocable Trust
Family Cemetery
Hoopers Creek Township, Henderson County, North Carolina

Tuckaseegee Land Surveying
234 Bryson Walk
Bryson City, North Carolina 28713
(828) 488-4848



Owner of Record: Charles Edwards Ball as Trustee of the Charles Edwards Ball Revocable Trust & Troylyn Wigginton Ball as Trustee of the Troylyn Wigginton Ball Revocable Trust.
Parcel Number: 9662064570
Property Address: 197 Jackson Rd, Henderson County.
Revised on 7-31-2020. Added Proposed Family Cemetery and Right of Way.

