

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: May 16, 2023

SUBJECT: Rezoning Application R-2023-06 Ourco Construction Company LLC

PRESENTER: Liz Hanson, Planner

ATTACHMENTS: 1.) Staff Report
2.) Application

SUMMARY OF REQUEST:

Rezoning Application R-2023-06, submitted on April 24, 2023, requests that the County rezone approximately 1.62 acres (1.58 assessed acres) of land from Estate Residential (R-40) to Residential One (R1). The acreage consists of PIN: 9577-27-0660 located off Greenville Hwy (NC Highway 225). The property owner and applicant is Ourco Construction Company LLC (Eric Oursler).

PLANNING BOARD ACTION REQUESTED:

Staff requests the Technical Review Committee make a recommendation to the Planning Board on rezoning application (R-2023-06) for approximately 1.62 acres from Estate Residential (R-40) to Residential One (R1).

Suggested Motion:

Motion that the Technical Review Committee forward rezoning application R-2023-06 to the Planning Board for review.



STAFF REPORT

HENDERSON COUNTY PLANNING DEPARTMENT

100 North King Street | Hendersonville, NC 28792 | (828) 697-4819

Prepared by:

Liz Hanson, Planner I

CASE

R-2023-06

TECHNICAL REVIEW COMMITTEE MEETING DATE

May 16, 2023

PROPERTY OWNER

Ourco Construction

PROPERTY LOCATION/ADDRESS

1621 Greenville Highway, Hendersonville
Township

AGENT/APPLICANT

Ourco Construction

PIN

9577270660

SUMMARY OF REQUEST

A rezoning of a portion of the above PIN
(hereafter the subject area) from **Estate Residential
(R-40)** to **Residential One (R1)**.

Existing Zoning

Estate Residential (R-40)

Existing Land Use

Community Service Center, Urban Service Area

Site Improvements

Single Family Residence

Request Acreage

1.62 Acres

ADJACENT ZONING

North

Estate Residential (R-40)

East

Residential One (R1)

South

Estate Residential (R-40)

West

Estate Residential (R-40)

USE OF LAND

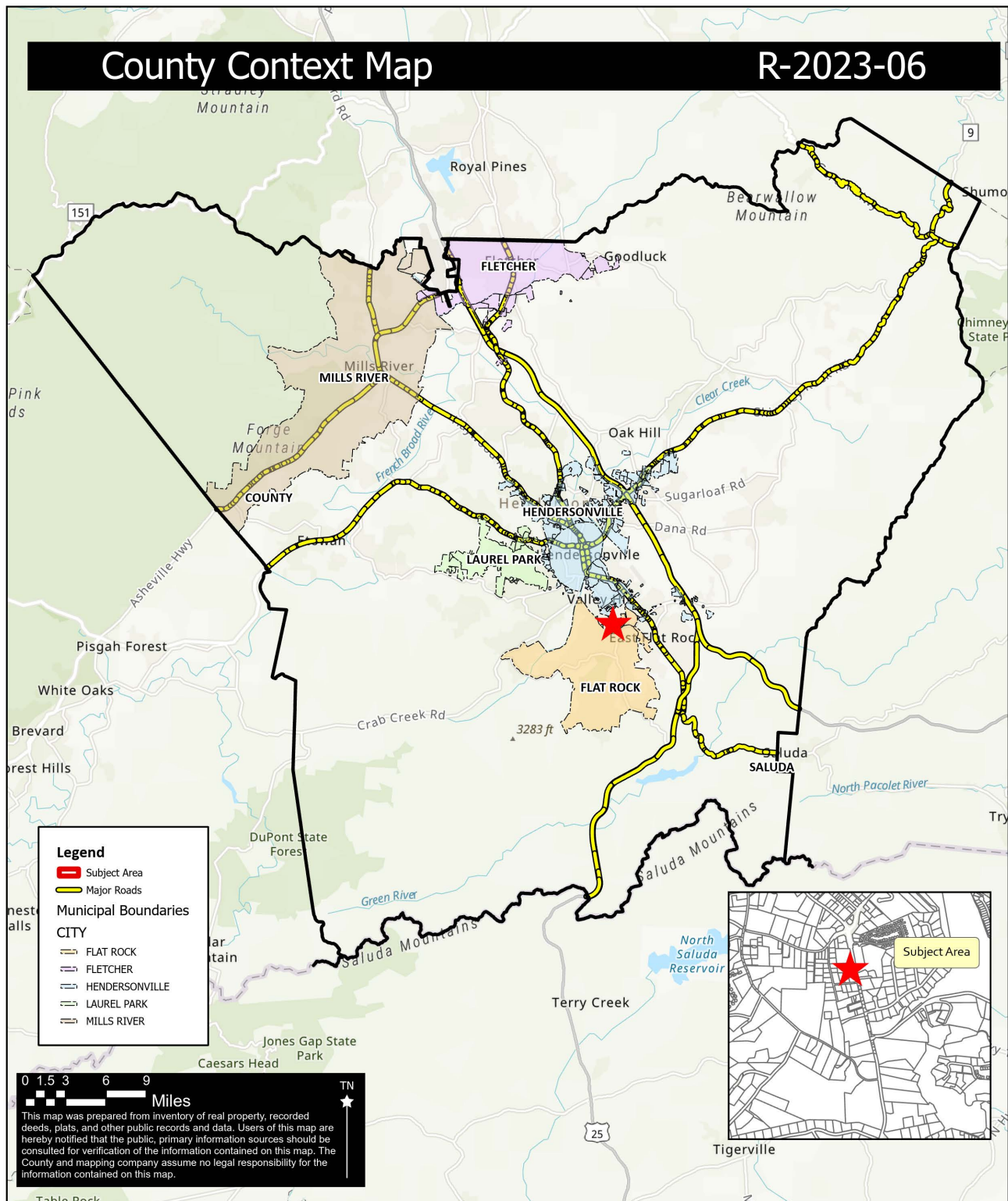
Single Family Residence

Vacant Land

Single Family Residence

Single Family Residence

Map A. County Context



Applicant: Ourco Construction
 Total Surveyed Area: 1.62 Acres
 Current Zoning: Estate Residential (R-40)



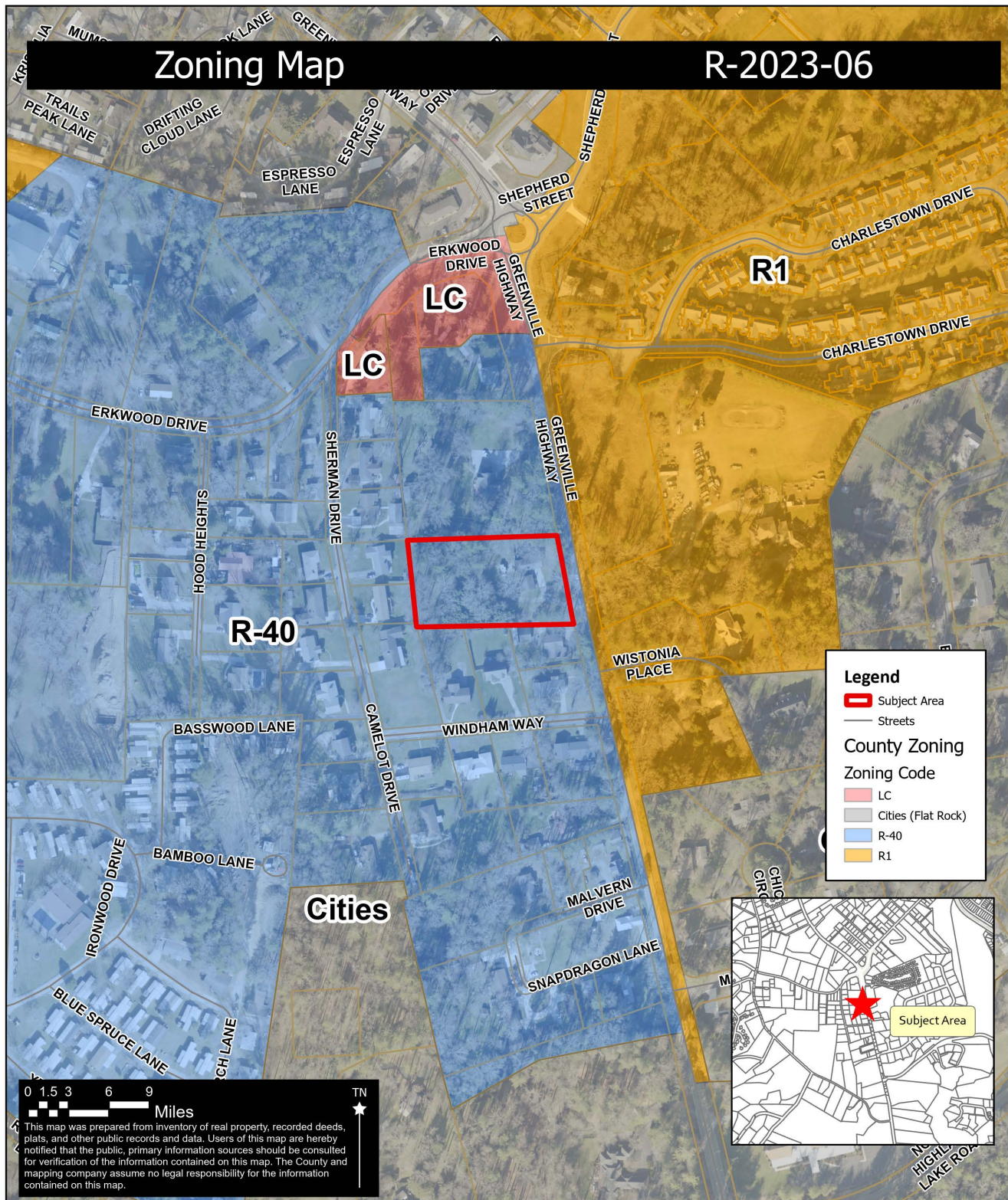
Map B. Aerial



Applicant: Ourco Construction
Total Surveyed Area: 1.62 Acres
Current Zoning: Estate Residential (R-40)



Map C. Current Zoning



Applicant: Ourco Construction
 Total Surveyed Area: 1.62 Acres
 Current Zoning: Estate Residential (R-40)



BACKGROUND

The applicant, Ourco Construction, is seeking to rezone one parcel from **Estate Residential (R-40)** to **Residential One (R1)**. The parcel is 1.62 acres.

ANALYSIS

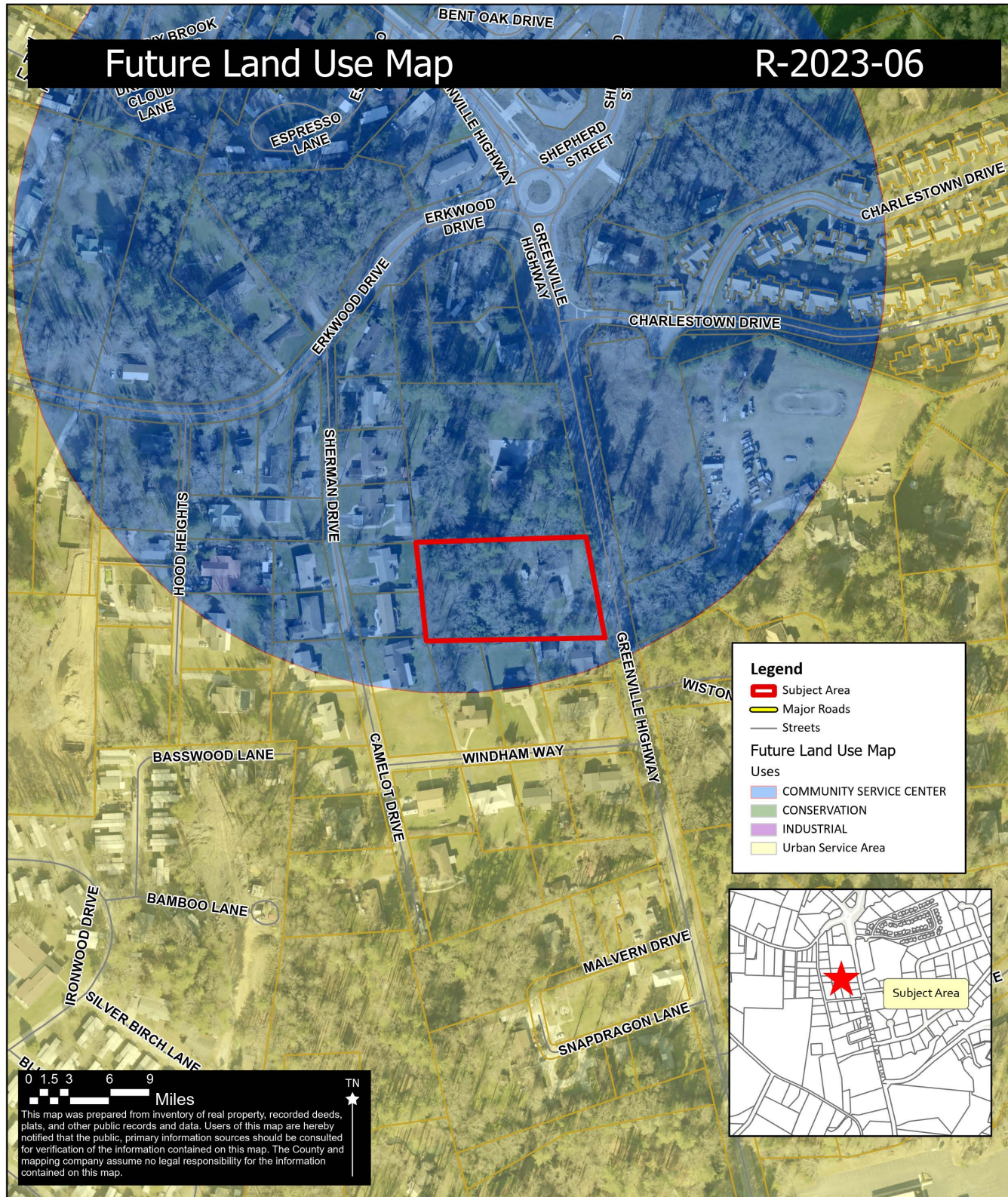
District Comparison:

Estate Residential (R-40): The Estate Residential District (R-40) is established to maintain the zoning in place prior to the adoption of this Chapter 42. This district is established as a district in which the principal use of the land is for low-density residential use. This district is also intended to be a quiet, low-density neighborhood consisting of single-family residences. The R-40 District shall not be extended from the locations designated on the Official Zoning Map, nor shall new R-40 District areas be designated except where initiated by the Board of Commissioners or Planning Board (LDC §42-37).

Residential District 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 (LDC §42-27).

Comparison: The Estate Residential (R-40) district principle land use is low-density residential (40,000 sqft minimum lot size) and is intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide a healthful environment. The Estate Residential (R-40) district also allows for certain non-residential uses by-right (LDC §42-37). The Residential One (R1) district principle land use is medium to high-density residential (LDC §42-27).

Map D: County Comprehensive Plan Future Land Use Map



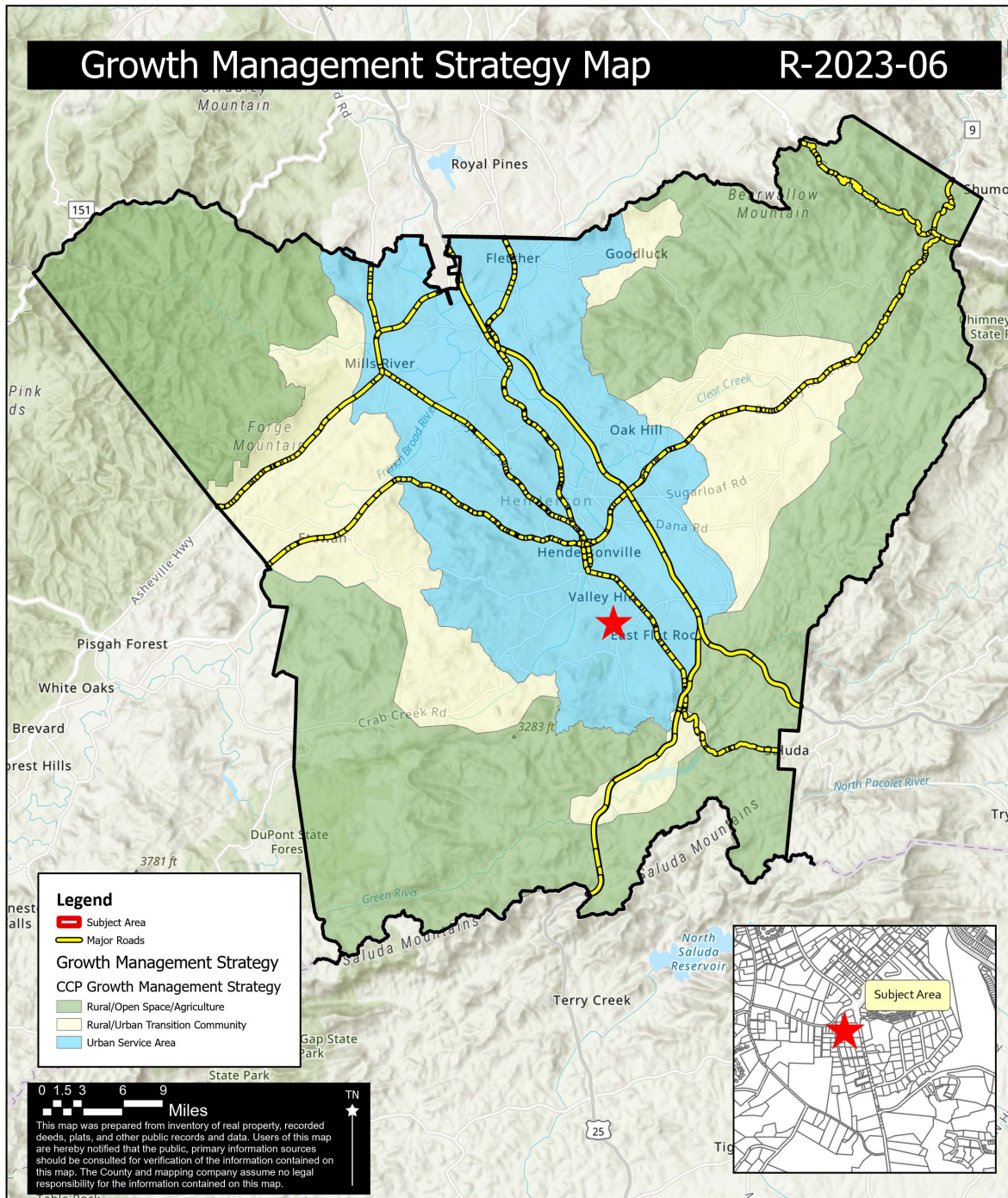
Applicant: Ourco Construction
 Total Surveyed Area: 1.62 Acres
 Current Zoning: Estate Residential (R-40)



County Comprehensive Plan (CCP) Compatibility

The CCP Future Land Use Map identifies the subject area as being in the **Community Service Center and Urban Service Area**.

Map E: Growth Management Strategy Map



Applicant: Ourco Construction
 Total Surveyed Area: 1.62 Acres
 Current Zoning: Estate Residential (R-40)



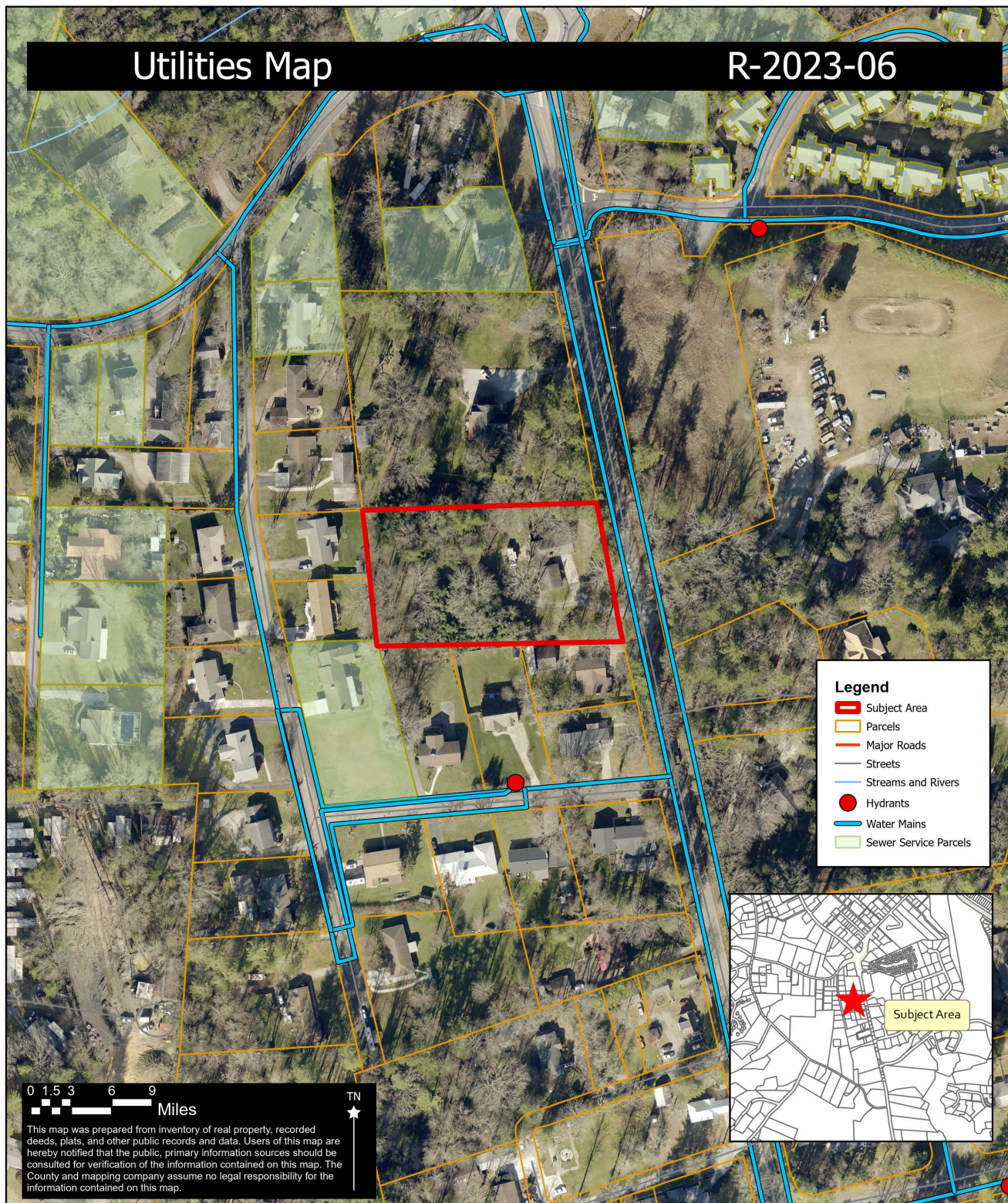
Community Service Center: The CCP Future Land Use Map shows the subject area located in the Community Services Center. The CCP states, "Land use policies and regulations will encourage moderate to low - density residential development that is consistent with a rural setting, with more dense residential development around defined Community Service Centers. Community Service Centers are located at key nodes / intersections and traditional locations and within predefined zoning districts whose standards and configuration are in keeping with the surrounding community and which minimize congestion and sprawl (see definition below)." (CCP p.133 #5)

Urban Service Area (USA): The CCP shows the subject area is within the Urban Service Area (USA) for Growth Management Strategy. The CCP states, "Wide ranges of residential densities will exist. Over the long term, land use regulations and policies should favor higher density development, consistent with natural constraints and the availability of urban services. " (CCP p.133 #3)

Residential District One (R1):The Residential One (R1) district principle land use is medium to high-density residential (LDC §42-27). The CCP states, "New high - density residential zoning districts will be created and applied within the USA as well as in / around Community Service Centers within the RTA." (CCP p.141 #3)

Additional Studies and Plans: The subject area is located within the East Flat Rock Planning Area Boundary and therefore falls under the East Flat Rock Community Plan (2018). The community plan states to replace Estate Residential (R-40) with Residential Two Rural (R2R) where the subject area is located (EFR Community Plan, p.49 LUD1.1)

Map F: Utilities Map



Applicant: Ourco Construction
 Total Surveyed Area: 1.62 Acres
 Current Zoning: Estate Residential (R-40)



Water & Sewer

The subject area is currently connected to City of Hendersonville public water. The applicant is proposing individual septic systems.

Existing Roads & Easements

The subject area has access from and frontage along Greenville Highway (NC Highway 225).

Technical Review Committee Recommendations

The Technical Review Committee (TRC) will hear R-2023-06 at their May 16, 2023 meeting.

Planning Board Recommendations

The Planning Board will hear the case following the Technical Review Committee.

Board of Commissioners Public Hearing

The Board of Commissioners will hear the case following the Planning Board.

Staff Conclusion

Staff finds no issue regarding R-2023-06.



HENDERSON COUNTY PLANNING DEPARTMENT
100 N. King Street | Hendersonville, NC 28792 | 828-697-4819

MAP AMENDMENT APPLICATION FORM

GENERAL INFORMATION

Date of Application: 4.24.23
Previously Submitted: ☐ Yes ☒ No
Date of Pre-Application Conference: 4.24.23
Type of Map Amendment (Circle One): ☒ Rezoning ☐ Conditional Zoning ☐ Special Mixed Use/Conditional
Site Plan Attached: ☐ Yes ☒ No
Permission to acquire aerial footage of subject area: ☒ Yes ☐ No

PARCEL INFORMATION*

PIN: 9577270600 Deed Book/Page: 3923/58 Tract Size (Acres): 1.62 + CPE
Zoning District: COUNTY Fire District: BLUE RIDGE Watershed: N/A Floodplain: N/A
Location of property to be developed:
1621 GREENVILLE Hwy

*If subject area contains multiple PIN's please attach a list and the above parcel information for each tract or individual PIN.

REZONING REQUEST

Attached is:

- ☒ A description of the property in question sufficient to unequivocally describe and identify said property. Such description may take the form of a property survey, a legal description or a legible copy of a County cadastral or composite tax map clearly annotated with district lines which follow political boundaries, geographical features or property lines.

Current Zoning District: R-40 Requested Zoning District: R-1

CONTACT INFORMATION

Property Owner:

Name: DURCO CONSTRUCTION Phone: 828 335 1519
Address: 2687 GREENVILLE Hwy UNIT 1054 City, State, and Zip: FLAT ROCK, NC 28731

Applicant:

Name: DURCO CONSTRUCTION Phone: SAME
Address: SAME City, State, and Zip: SAME



HENDERSON COUNTY PLANNING DEPARTMENT
100 N. King Street | Hendersonville, NC 28792 | 828-697-4819

Contact Information

Property Owner:

Name: ERIC OURSLER Phone: 828 335.1519
Email: EOURSLER@OURCOLLC.COM Address: _____

Agent:

Name: _____ Phone: _____
Email: _____ Address: _____

Plan Preparer:

Name: _____ Phone: _____
Email: _____ Address: _____

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

E. Oursler

Print Applicant (Owner or Agent)

4/24/23
Date

Signature Applicant (Owner or Agent)

Date

COUNTY STAFF ONLY

Fee: \$ 400 Paid: ✓ Method: card Received by: 4/24 Liz

Community Planning Area: _____

Date Current Zoning Applied: _____



April 24, 2023

- Streets and Highways**
- FREEWAY
 - INTERSTATE
 - BOULEVARD
 - THOROUGHFARE
 - COLLECTOR
 - Local Roads
 - Parcels

THIS IS NOT A SURVEY.

All information or data provided, whether subscribed, purchased or otherwise distributed, whether in hard copy or digital media, shall be at the user's own risk. Henderson County makes no warranties or guarantees, including the warranties of merchantability or of fitness for a particular purpose. Map data is not appropriate for, and is not to be used as, a geodetic, legal, or engineering base system. The data is not intended as a substitute for surveyed locations such as can be determined by a registered Public Land Surveyor, and does not meet the minimum accuracy standards of a Land Information System/Geographic Information System Survey in North Carolina (21 NCAC 56.1608).

