



Henderson County, North Carolina Code Enforcement Services

1. **Board Request**

- 1.1. **Applicant:** Albert & Valudia Jackson
- 1.2. **Request:** Special Use Permit to allow a Dog Kennel-SR 6.7
- 1.3. **PIN:** 9597-09-4920
- 1.4. **Size:** 17.91 acres +/-
- 1.5. **Location:** The subject area has access off of Upward Rd and Howard Gap Rd.
- 1.6. **Supplemental Requirements:**

(1) Site Plan. Major Site Plan required in accordance with §200A-331 (Major Site Plan Review).

(2) Lighting. Adequate lighting shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. Lighting mitigation required.

(3) Separation. A Kennel shall not be constructed or newly located within 200 feet of an existing dwelling unit (Located in a residential zoning district and not located on the same property as the use).

(4) Structure. The Kennel shall provide pens which are enclosed and adequately ventilated.

(5) Operations. Limited outdoor exercise runs/facilities shall be permitted, however, hours of use shall be restricted to from 8:00 am to 8:00 pm. Food and animal refuse shall be kept in airtight containers.

(6) Screening. Screen Class three (3) shall be provided consistent with the requirements of §200A-182 (Screen Classification)).

(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 states, 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 §200A-182 (Screen Classification)).

Map A: Aerial Photo



2. Current Conditions

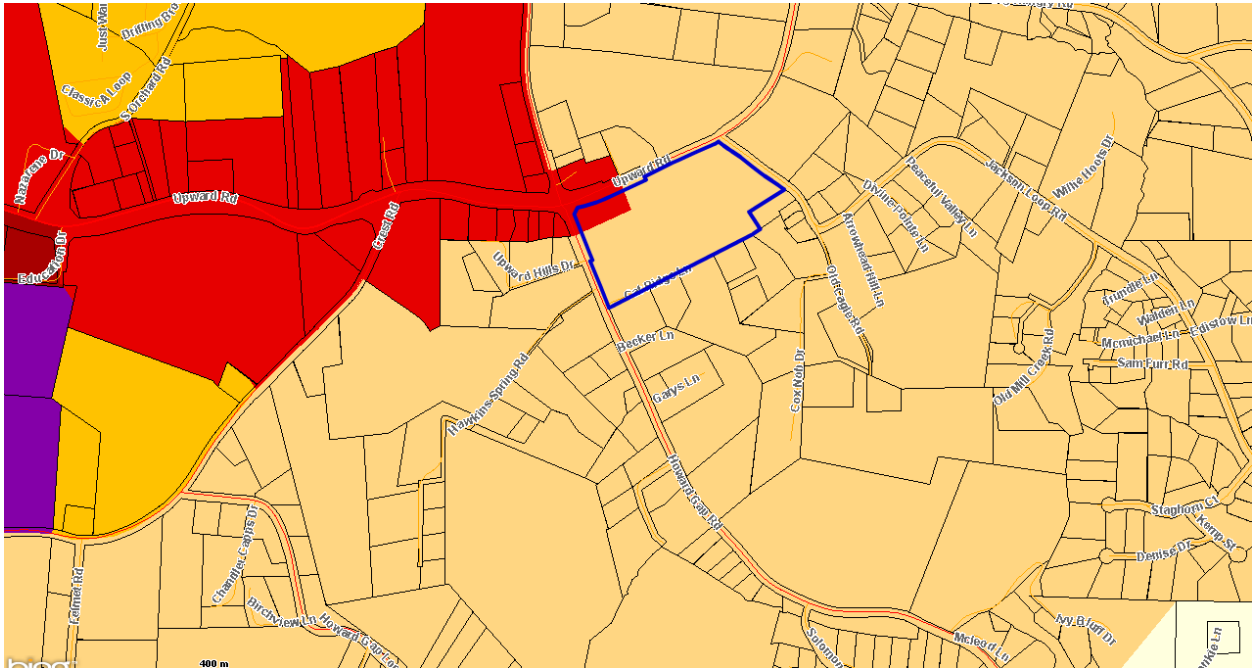
2.1 Current Use: The parcel was originally permitted for residential and agricultural use

2.2 Adjacent Area Uses: The surrounding properties to the north, south, east and west are commercial, residential, and agricultural. Surrounding businesses include one car repair business and an exiting apple orchard onsite.

2.3 Zoning: The current zoning of surrounding property to the north-east, east, west, and south is zoned (R2R). The adjacent property to the north-west is zoned (CC). The nearest commercial business is just on the other side of Upward Road approximately 100' west of the property driveway entrance.

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

Map B: Current Zoning



3. Water and Sewer

This property currently has the owners' residence, an accessory dwelling and an orchard.

3.1. **Public Water:** City of Hendersonville water is available for this property

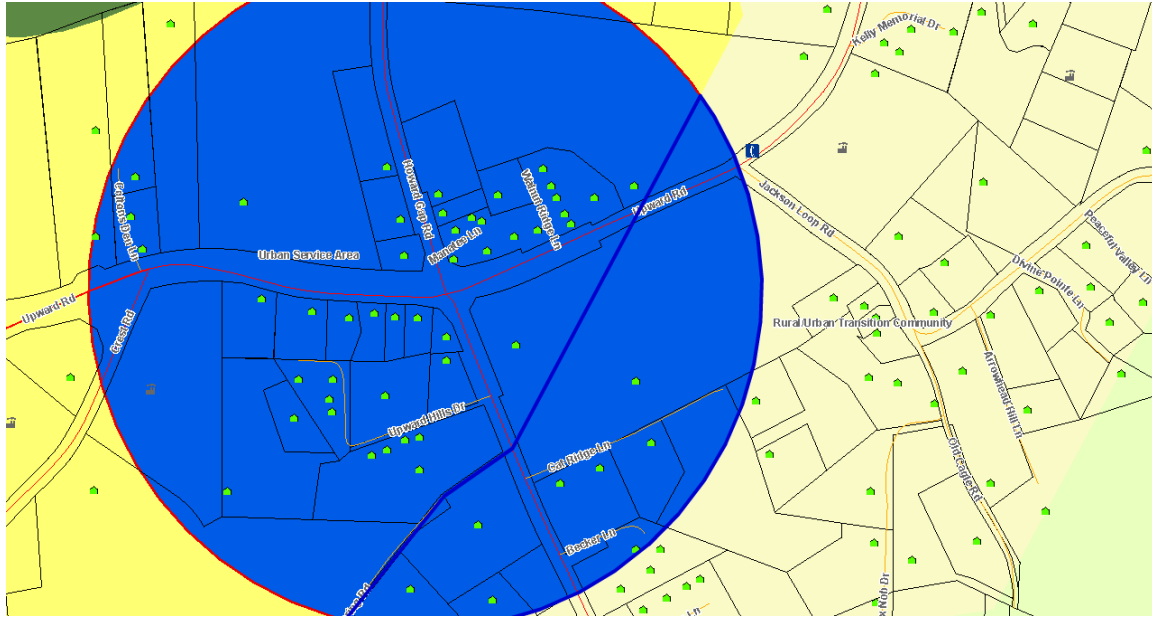
3.2. **Private Sewer:** Property has existing septic systems for two existing structures.

4. Comprehensive Plan

The 2020 CCP: The CCP Future Land Use Map places the Subject Area in the "Community Service Center" classification. These areas are defined as follows:

Community Service Centers are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas. *Community Service Centers* are appropriate for a mixture of commercial uses scaled to the service area in question; residential uses of varying densities depending upon available services; and *Community Facilities* such as schools, parks, community centers, and other similar *Community Facilities*. The mixture and intensity of land uses contained within *Community Service Centers* are intended to be appropriate within the context of the surrounding community and intended service area.

Community Service Centers should also be properly controlled by appropriate aesthetic standards, access management standards, and other appropriate development control measures.



5. Staff Recommendations

- a. Staff's position at this time, under the guidelines of current plans, policies and studies, is to support the Special Use Permit.

6. Photographs (Looking down driveway into property from Upward Rd.



Staff Report: SUP 12-03
Albert and Vaudia Jackson - Frady Kennel

Looking East on Upward Road



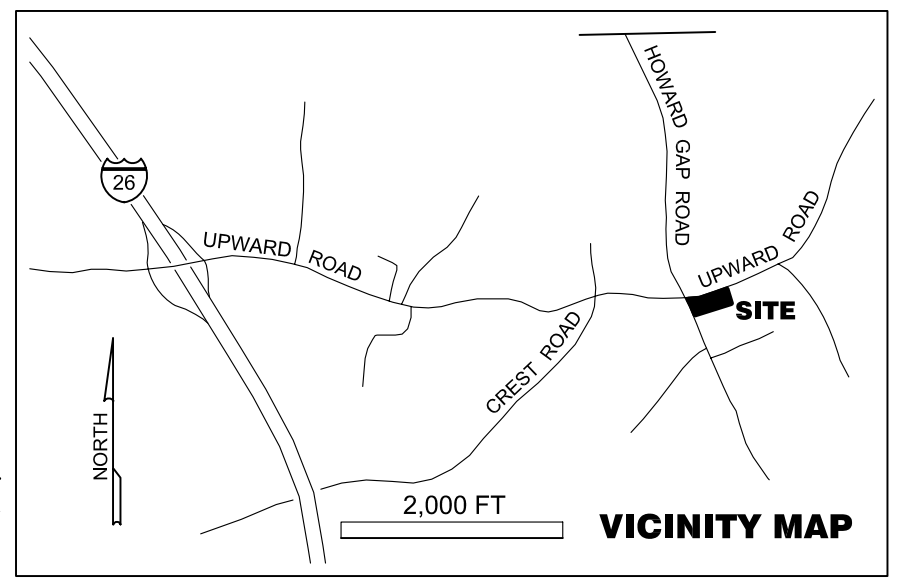
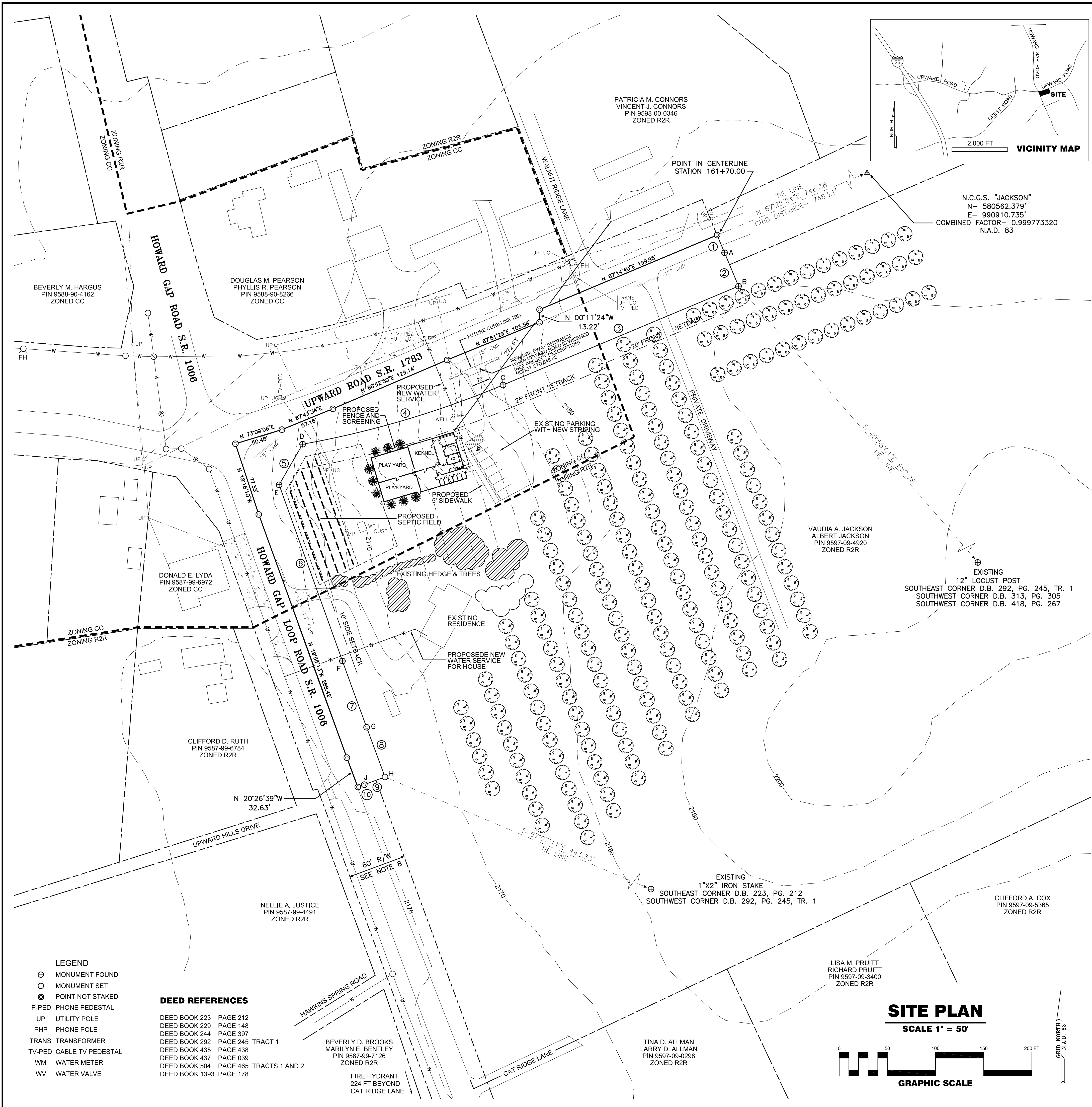
Looking West towards Howard Gap Intersection



Staff Report: SUP 12-03
Albert and Vaudia Jackson - Frady Kennel

View of Accessory Dwelling and Kennel Location





NOTES

- SURVEY INFORMATION**
- EXISTING SURVEY FOR VAUDIA A. JACKSON, SHOWING THE PORTION OF PROPERTY TAKEN FOR NCDOT UPWARD ROAD WIDENING PROJECT No 34623.3.1 IN BLUE RIDGE TWP, HENDERSON COUNTY NC, DATED NOV 12, 2010 AND PREPARED BY DAVID H. HILL, NCPLS / LIC # L-2863 HILL & ASSOCIATES SURVEYORS, PA 403 WEST BLUE RIDGE ROAD / EAST FLAT ROCK NC 28726 TEL (828) 693-1409
 - ADDITIONAL DATA TAKEN FROM HENDERSON COUNTY GIS AND INSERTED IN THIS DRAWING INCLUDES ADJACENT PROPERTIES, EXISTING BUILDINGS, DRIVEWAYS, TREES AND TOPOGRAPHY.
 - EXISTING MUNICIPAL WATERLINES AND FIRE HYDRANTS TAKEN FROM WATER DEPARTMENT MAPS.
 - EXISTING TOPO (10 FT CONTOURS) TAKEN FROM COUNTY GIS AND INTERPOLATED ACROSS BUILDING SITE.
- SURVEYOR NOTES**
- AREAS BY COORDINATE COMPUTATION.
 - ALL AREAS SHOWN ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD OR UNRECORDED THAT MAY DIRECTLY AFFECT ALL AREAS SHOWN.
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - SEE DEED BOOK 578, PAGE 808 FOR EXISTING 60' RIGHT OF WAY FOR HOWARD GAP LOOP ROAD, S.R. 1006.
 - SEE DEED BOOK 1393, PAGE 178 FOR MEMORANDUM OF ACTION, DEPARTMENT OF TRANSPORTATION (PLAINTIFF) VS VAUDIA JACKSON (DEFENDANT).
 - NOT FOR RECORDATION

RIGHT OF WAY BOUNDARY DATA

RIGHT OF WAY CALLS		RIGHT OF WAY POINTS	
LINE	DESCRIPTION	POINT	DESCRIPTION
1	S 22°45'20" E - 20.00'	⊕ A	EXISTING ALUMINUM CAP 20' RIGHT L STATION 161+70.00
2	S 22°45'20" E - 37.50'	⊕ B	EXISTING ALUMINUM CAP 57.50' RIGHT L STATION 161+70.00
3	S 67°14'40" W - 265.21'	⊕ C	EXISTING ALUMINUM CAP 57.50' RIGHT L STATION 159+04.00
4	RAD 987.50' TAN 109.17' CHORD S 73°33'10" W - 217.01' ARC L 217.45' CA 12'37"00"	⊕ D	EXISTING ALUMINUM CAP 57.50' RIGHT L STATION 157+00.00
5	S 30°04'15" W - 48.71'	⊕ E	EXISTING ALUMINUM CAP 40.00' LEFT Y20 STATION 16+02.00
6	S 19°46'42" E - 194.37'	⊕ F	EXISTING ALUMINUM CAP 40.00' LEFT Y20 PC STATION 17+96.37
7	RAD 7960.00' TAN 36.61' CHORD S 20°02'31" E - 73.22' ARC L 73.22' CA 0'31"37"	⊕ G	POINT 40.00' LEFT Y20 PT STATION 18+69.96
8	S 20°18'19" E - 55.04'	⊕ H	EXISTING ALUMINUM CAP 40.00' LEFT Y20 STATION 19+25.00
9	S 69°41'41" W - 23.00'	⊕ J	POINT 17.00' LEFT Y20 PT STATION 19+25.00
10	S 69°41'41" W - 7.10'		

PROPERTY DESCRIPTION

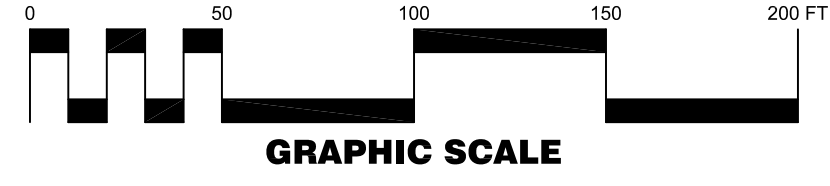
OWNER	ALBERT & VAUDIA A. JACKSON
APPLICANT	CHRISTOPHER & DEIDRA FRADY
PROPERTY ADDRESS	1050 UPWARD ROAD / FLAT ROCK, NC 28731
PIN NUMBER	9597-09-4920
DEED BOOK & PAGE	418 / 267
TRACT SIZE	17.91 ACRES
ZONING DISTRICT	R2R (RESIDENTIAL TWO RURAL) - OWNER'S EXISTING RESIDENCE & ORCHARD CC (COMMUNITY COMMERCIAL) - PORTION TO BE USED FOR KENNEL SITE
BUILDING SETBACKS	FRONT (COLLECTOR) SIDE & REAR
R2R	20 FT 10 FT
CC	25 FT 10 FT
FIRE DISTRICT	BLUE RIDGE
WATERSHED	NONE
FLOOD ZONE	ZONE X - NOT SHADED (AREAS OUTSIDE THE FLOODPLAIN)

PROJECT DESCRIPTION

PROPOSED USE	KENNEL (SPECIAL USE PERMIT REQUIRED)	
BUILDING CODE DATA	NUMBER OF STORIES	1
	CONSTRUCTION TYPE	V-B
	OCCUPANCY GROUP	B
	SPRINKLERED	NO
BUILDING AREA	2,500 GSF	
PARKING	REQUIRED	1 SPACE PER 500 GSF = 5 SPACES
	PROPOSED	7 INCLUDING 1 HC VAN SPACE
	LANDSCAPING IS NOT REQUIRED - PARKING LOT IS LESS THAN 10 SPACES	
OFF STREET LOADING	NOT REQUIRED	
DRIVEWAY ENTRANCE	<ul style="list-style-type: none"> NEW CONCRETE APRON TO BE INSTALLED WHEN DOT WIDENS UPWARD ROAD ENTRANCE WIDTH AND APRON TO COMPLY WITH NCDOT STD 848.02 PROPOSED 20 FT WIDE DRIVEWAY (ASPHALT PAVING TO BE ADDED) WITH CONCRETE APRON FROM R/W TO CURB & GUTTER SECTION AND 5 FT RADIUS ON DISAPATED CURB TURNOUT 	
SIGN REQUIREMENTS	NUMBER OF SIGNS	1
	SIGN TYPE	FREE-STANDING, SINGLE-TENANT
	NUMBER OF FACES	2
	MOUNTING	GROUND-MOUNTED
	MAX AREA / FACE	72 SF
	MAX HEIGHT	18 FT
DISTURBED AREA	<ul style="list-style-type: none"> 0.27 AC (5,300 SF SEPTIC FIELD + 6,570 BLDG, WALS % PLAY YARD) AVERAGE SLOPE 4.2 % EROSION CONTROL PERMIT AND PLAN REQUIRED STORMWATER MANAGEMENT PERMIT NOT REQUIRED 	
WATER SYSTEM	PROPOSED NEW SERVICE, TAPPED TO EXISTING UPWARD RD MUNICIPAL MAIN	
SANITARY SEWER	<ul style="list-style-type: none"> PROPOSED NEW SEPTIC SYSTEM (NO EXISTING SANITARY SEWER) BASED ON 30 DOGS + 2 EMPLOYEES = 650 GPD DISCHARGE REQUIRES 2 TANKS + 541 LF DRAINLINE x 9 FT OC = 4,869 SF FIELD 100% STANDBY AREA SHOWN UP-HILL OF PRIMARY FIELD 	
KENNEL FENCING	<ul style="list-style-type: none"> CLASS 3 SCREENING PROVIDED FOR OUTDOOR PLAY YARD 128 LF X 6 FT HIGH 75% OPAQUE FENCE, WITH 9 EVERGREEN TREES 	
LANDSCAPE BUFFERS	<ul style="list-style-type: none"> PROPOSED KENNEL IS ON SAME PROPERTY AS OWNER'S RESIDENCE. CC TO R2R BUFFER IS PROVIDED BY EXISTING HEDGE, TREES AND ORCHARD BETWEEN PROPOSED KENNEL AND RESIDENCE. ADJACENT PROPERTY ON NORTH AND WEST SIDE IS ZONED COMMERCIAL AND NO BUFFER REQUIRED. 	
GARBAGE COLLECTION	<ul style="list-style-type: none"> NO DUMPSTERS ARE PROPOSED (DUMPSTER SCREENING NOT REQUIRED) OWNER WILL CONTRACT WITH A PRIVATE TRASH COLLECTION COMPANY (OR USE MUNICIPAL PICK-UP IF AVAILABLE) FOR TRASH COLLECTION 	
EXTERIOR LIGHTING	ALL EXTERIOR LIGHTING (AREA AND BUILDING-MOUNTED) TO BE "CUT OFF" TYPE FIXTURES TO PROVIDE LIGHTING MITIGATION IN ACCORDANCE WITH COUNTY ORDINANCES	

SITE PLAN

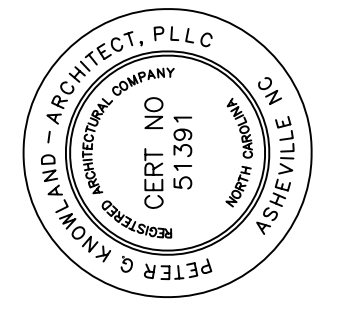
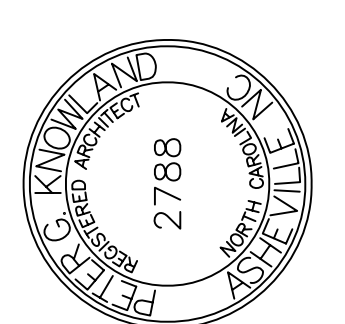
SCALE 1" = 50'



DEED REFERENCES

DEED BOOK 223	PAGE 212
DEED BOOK 229	PAGE 148
DEED BOOK 244	PAGE 397
DEED BOOK 292	PAGE 245 TRACT 1
DEED BOOK 435	PAGE 438
DEED BOOK 437	PAGE 039
DEED BOOK 504	PAGE 465 TRACTS 1 AND 2
DEED BOOK 1393	PAGE 178

- LEGEND**
- ⊕ MONUMENT FOUND
 - MONUMENT SET
 - POINT NOT STAKED
 - P-PED PHONE PEDESTAL
 - UP UTILITY POLE
 - PHP PHONE POLE
 - TRANS TRANSFORMER
 - TV-PED CABLE TV PEDESTAL
 - WM WATER METER
 - WV WATER VALVE



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DATE	REVISIONS	DATE	REVISIONS
6/17/12	ADDED TOBY LINVILLE REVIEW COMMENTS		

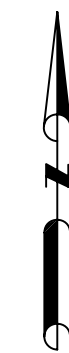
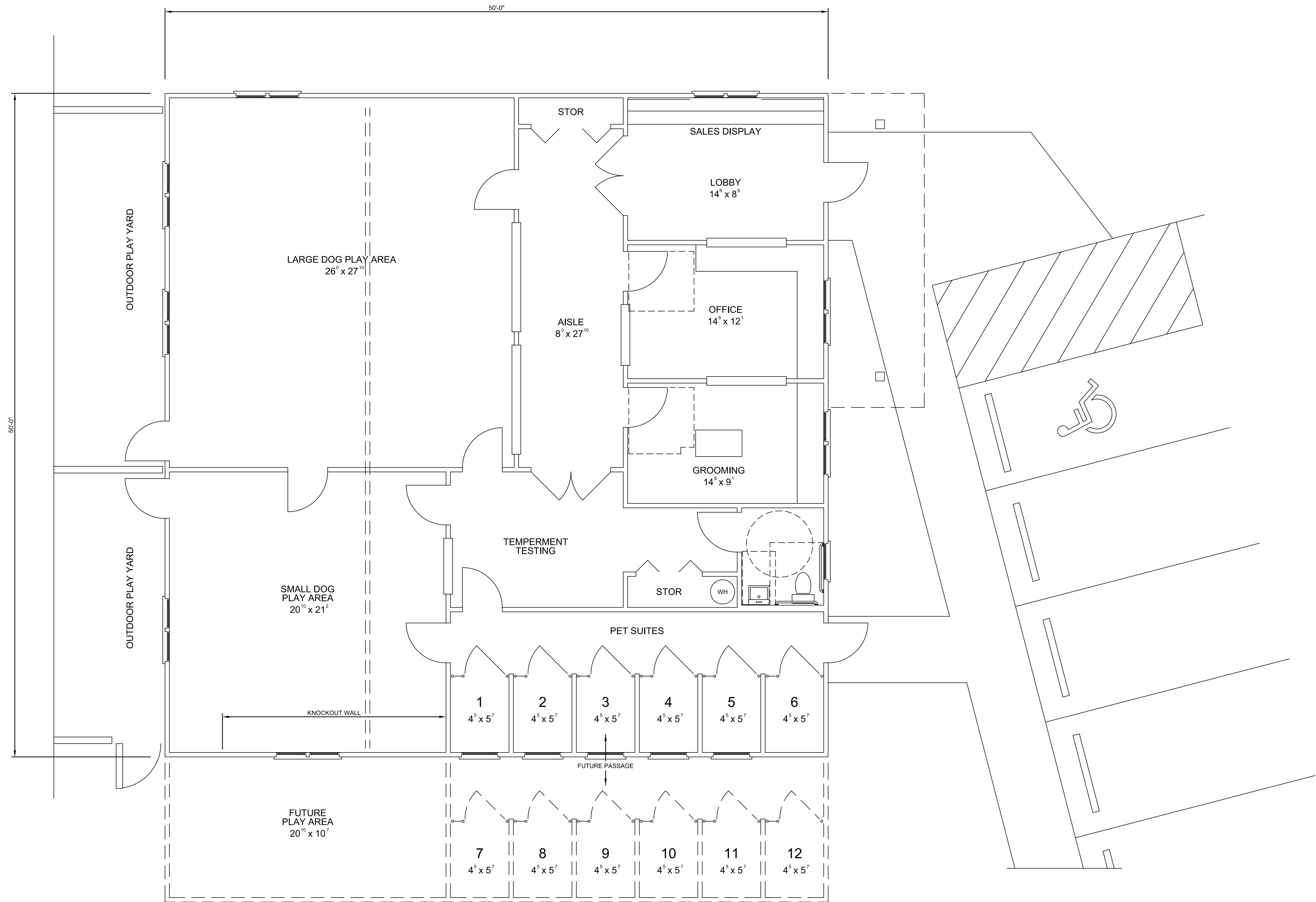
NEW DOG KENNEL FOR
DEIDRA FRADY
 1050 UPWARD ROAD - FLAT ROCK NC 28731
 PETER G. KNOWLAND - ARCHITECT, PLLC 2A HERMAN AVENUE EXTENSION - ASHEVILLE NC 28803 (828) 687-2445

REV JUNE 17, 2012

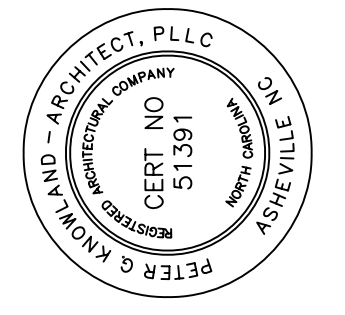
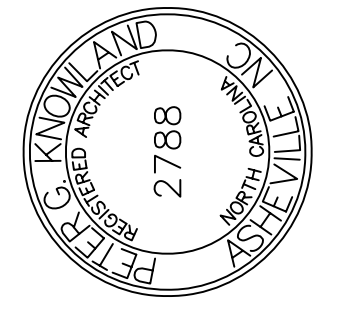
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OF 1



FLOOR PLAN
SCALE 1/4" = 1'-0"



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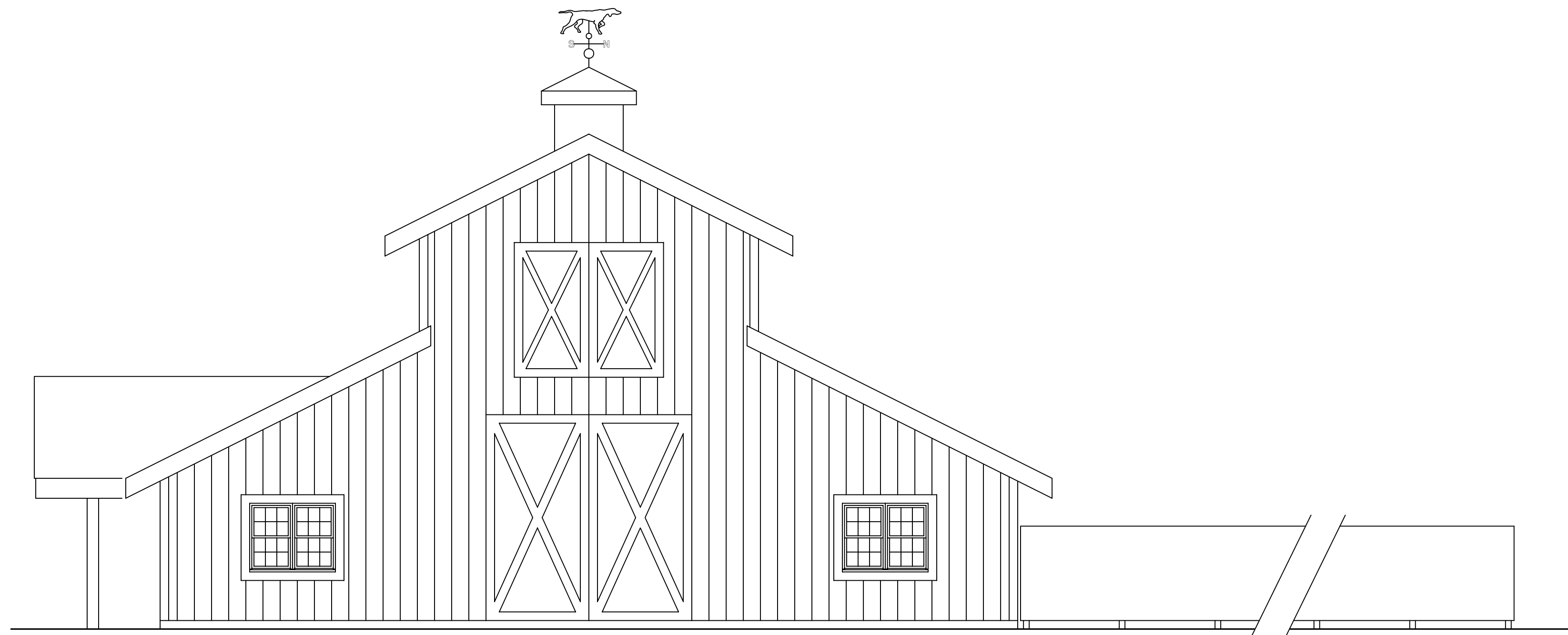
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JUNE 10, 2012

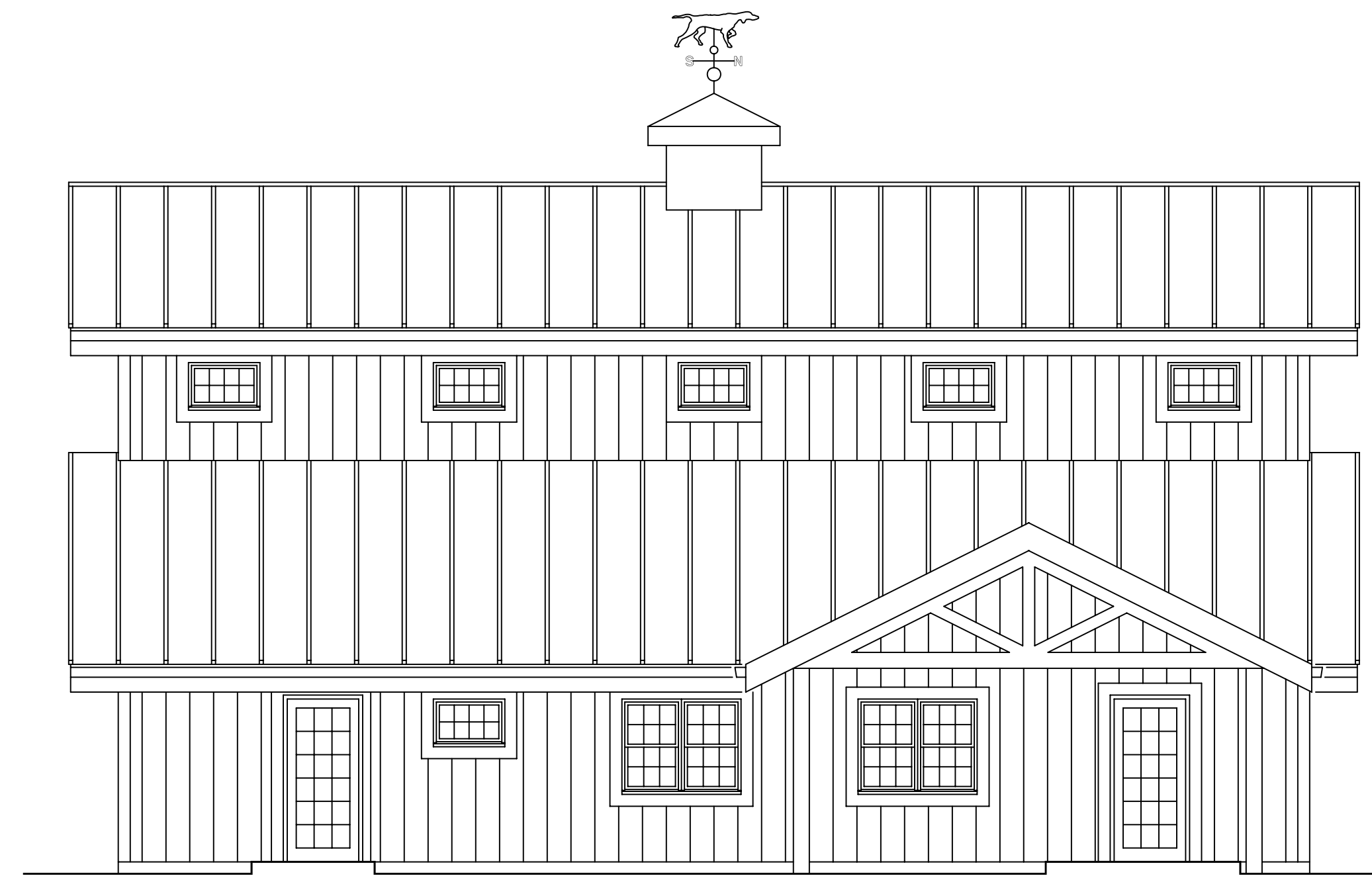
SHEET

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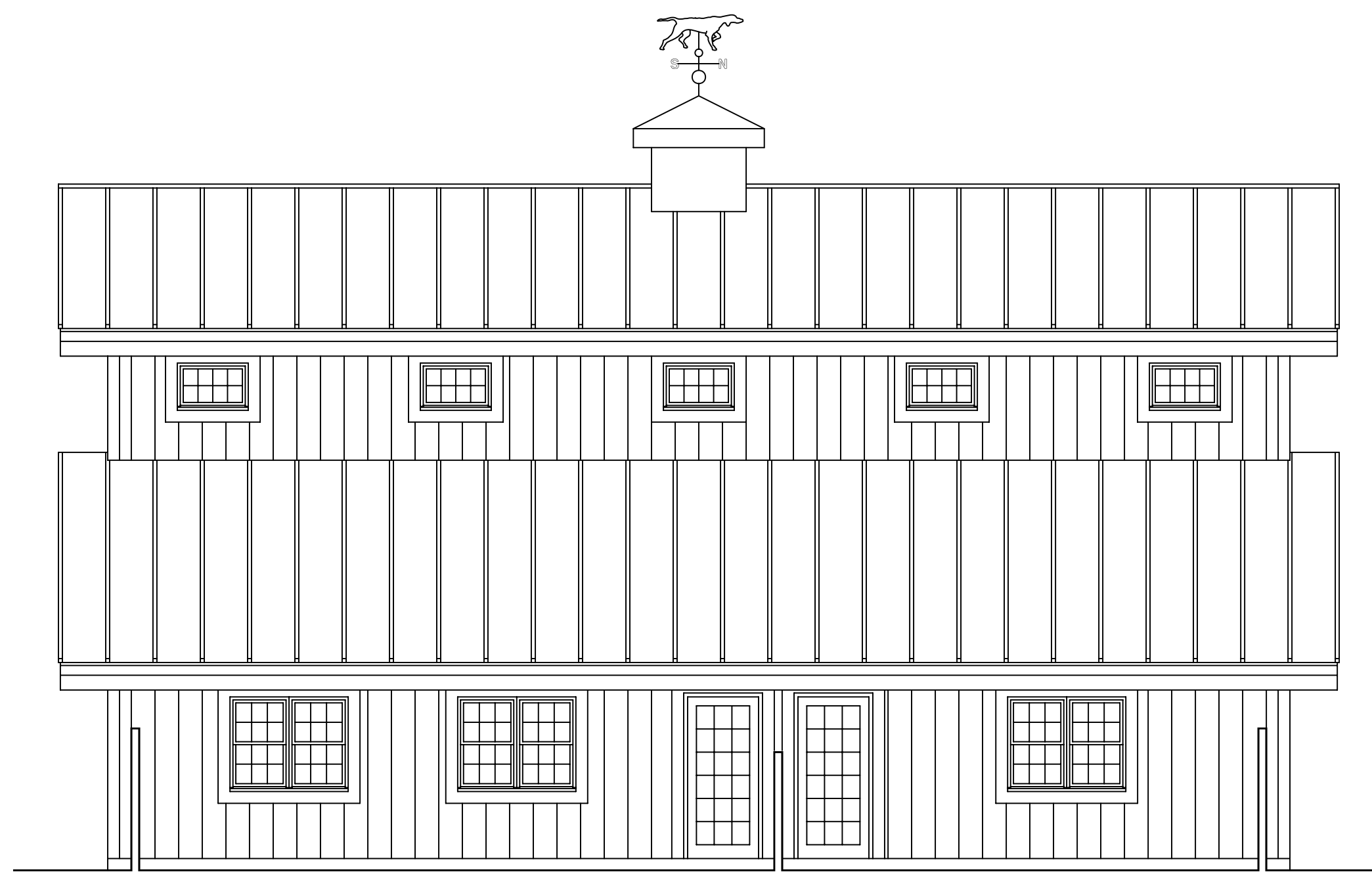
OF 2



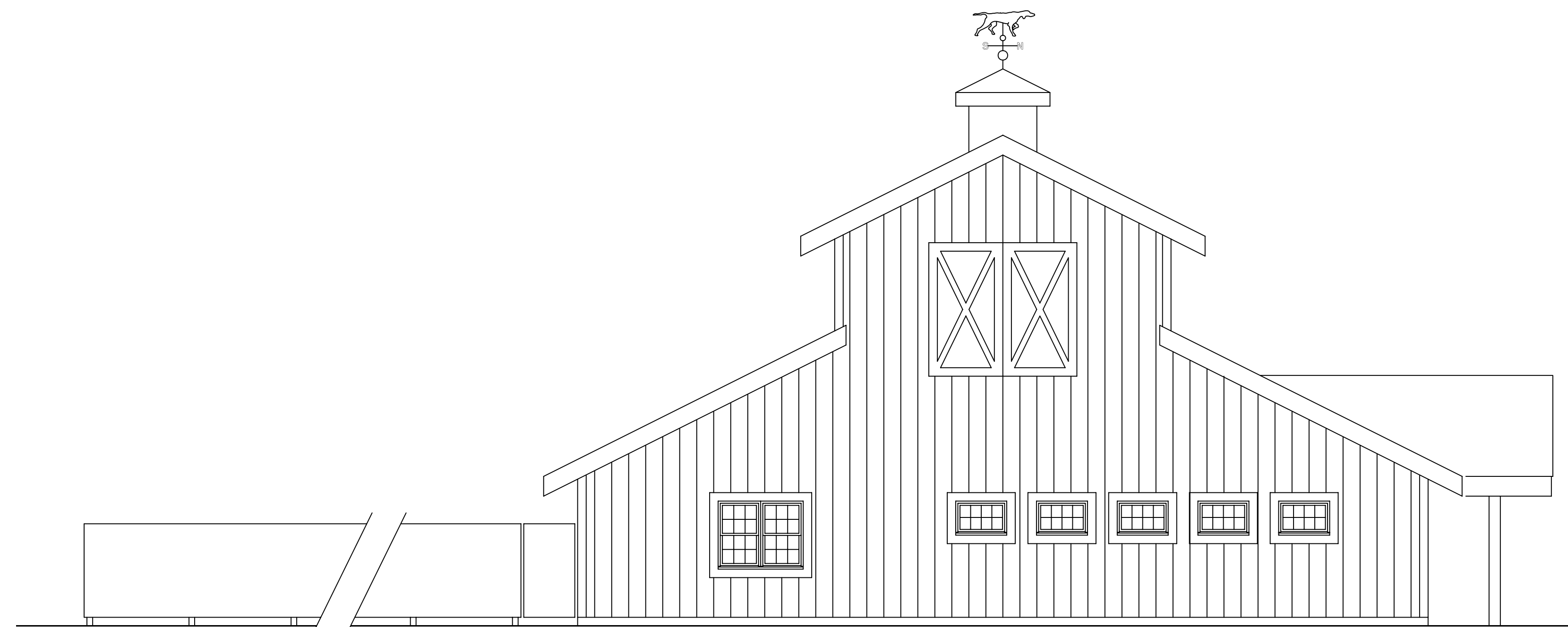
NORTH ELEVATION
SCALE 3/16" = 1'-0"



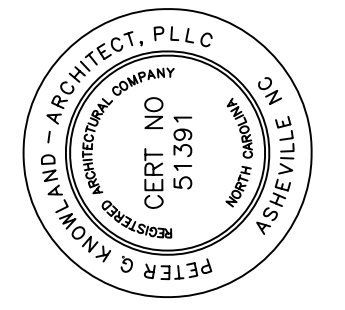
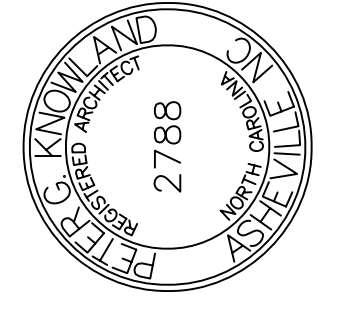
EAST ELEVATION
SCALE 3/16" = 1'-0"



WEST ELEVATION
SCALE 3/16" = 1'-0"



SOUTH ELEVATION
SCALE 3/16" = 1'-0"



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A2
 OF 2