

**REQUEST FOR COMMITTEE ACTION**

**HENDERSON COUNTY  
TECHNICAL REVIEW COMMITTEE**

**MEETING DATE:** January 21, 2025

**SUBJECT:** Master Plan for Justus Major Subdivision(01-2025-M)

**STAFF CONTACT:** Austin Parks, Planner

**ATTACHMENTS:** 1. Staff Report  
2. Master Plan

**SUMMARY OF REQUEST:**

A Master Plan was received on behalf of Hill and Associates Land Surveying., by David Hill. The Master Plan shows a total of 2 industrial lots. The subject area is located off Crest Rd (SR 1803) in the Blue Ridge Township. The entire parcel consists of 10 acres. The proposed subdivision will be accessed through Crest Rd.

**TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:**

Staff has found that the Master Plan meets the standards of the subdivision regulations of Chapter 42, Henderson County Land Development Code (LDC). Staff recommends the Master Plan be subject to the property owner addressing any issues raised by the TRC and addressing the comments listed in the Staff Report.

**Suggested Motion:**

I move that the TRC approve the Master Plan for Justus Major Subdivision with conditions listed in staff report or as discussed by TRC.



# STAFF REPORT

## HENDERSON COUNTY PLANNING DEPARTMENT

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

**Prepared by:**  
Austin Parks, Planner

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**APPLICATION #**  
01-2025-M

**TECHNICAL REVIEW COMMITTEE MEETING DATE:**  
JANUARY 21, 2025

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**PROPERTY OWNER**  
Justus, William Carol

**PROPERTY LOCATION/ADDRESS**  
Blue Ridge Township

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**APPLICANT**  
Todd Justus

**PIN(S):**  
9587-58-6523

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### SUMMARY OF REQUEST

To subdivided into two lots of the above-referenced PIN (hereafter the subject area) within Henderson County's Industrial (I) District

<b>Existing Zoning</b>	Industrial
<b>FLUM Character Area</b>	Employment & Industry
<b>Existing Land Use</b>	Residential
<b>Site Improvements</b>	NA
<b>Request Acreage</b>	10

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### ADJACENT ZONING

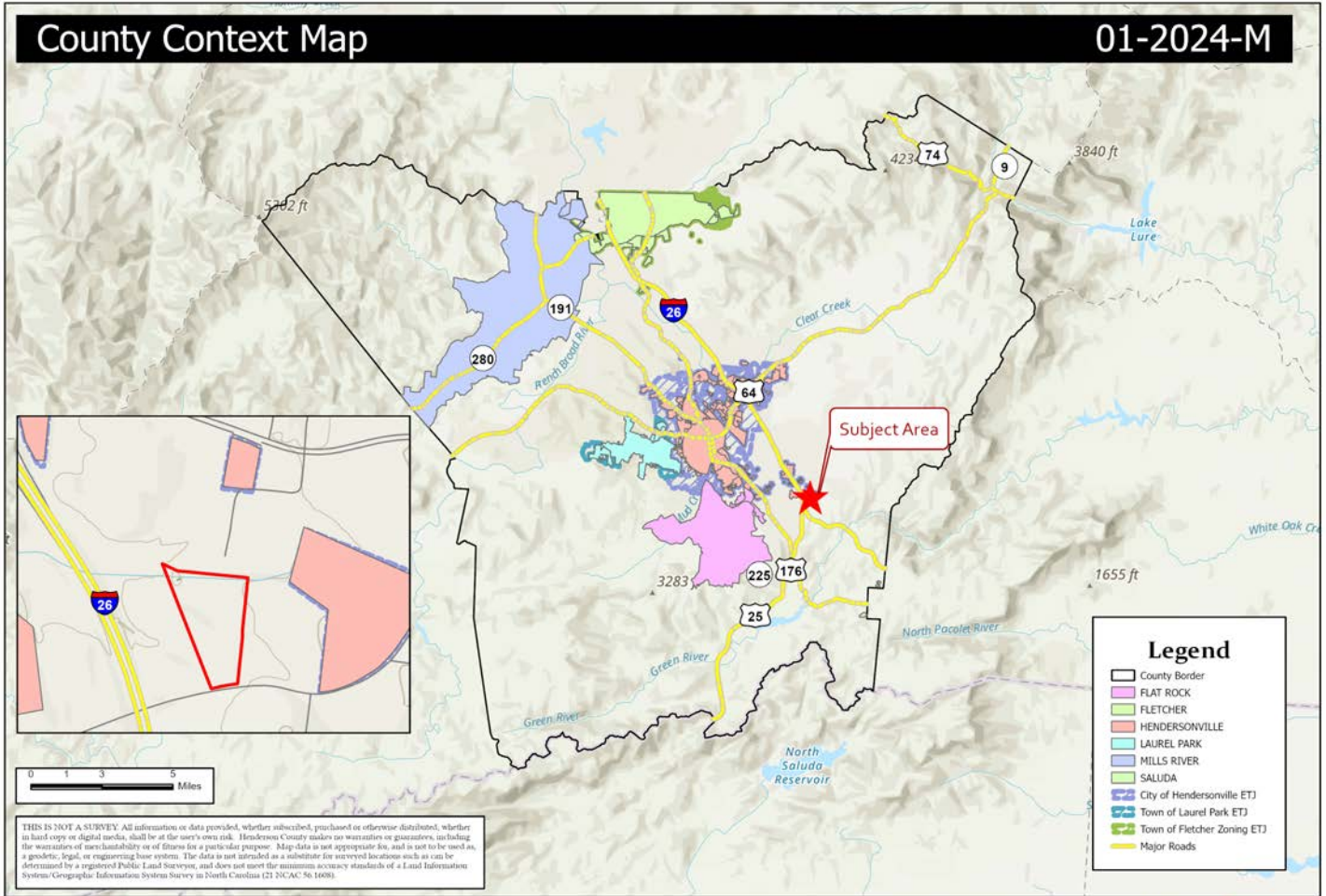
<b>North</b>	I
<b>East</b>	I
<b>South</b>	R2R
<b>West</b>	I

### PROPERTY CLASS

Commercial
Residential
Residential
Residential

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Map A: County Context



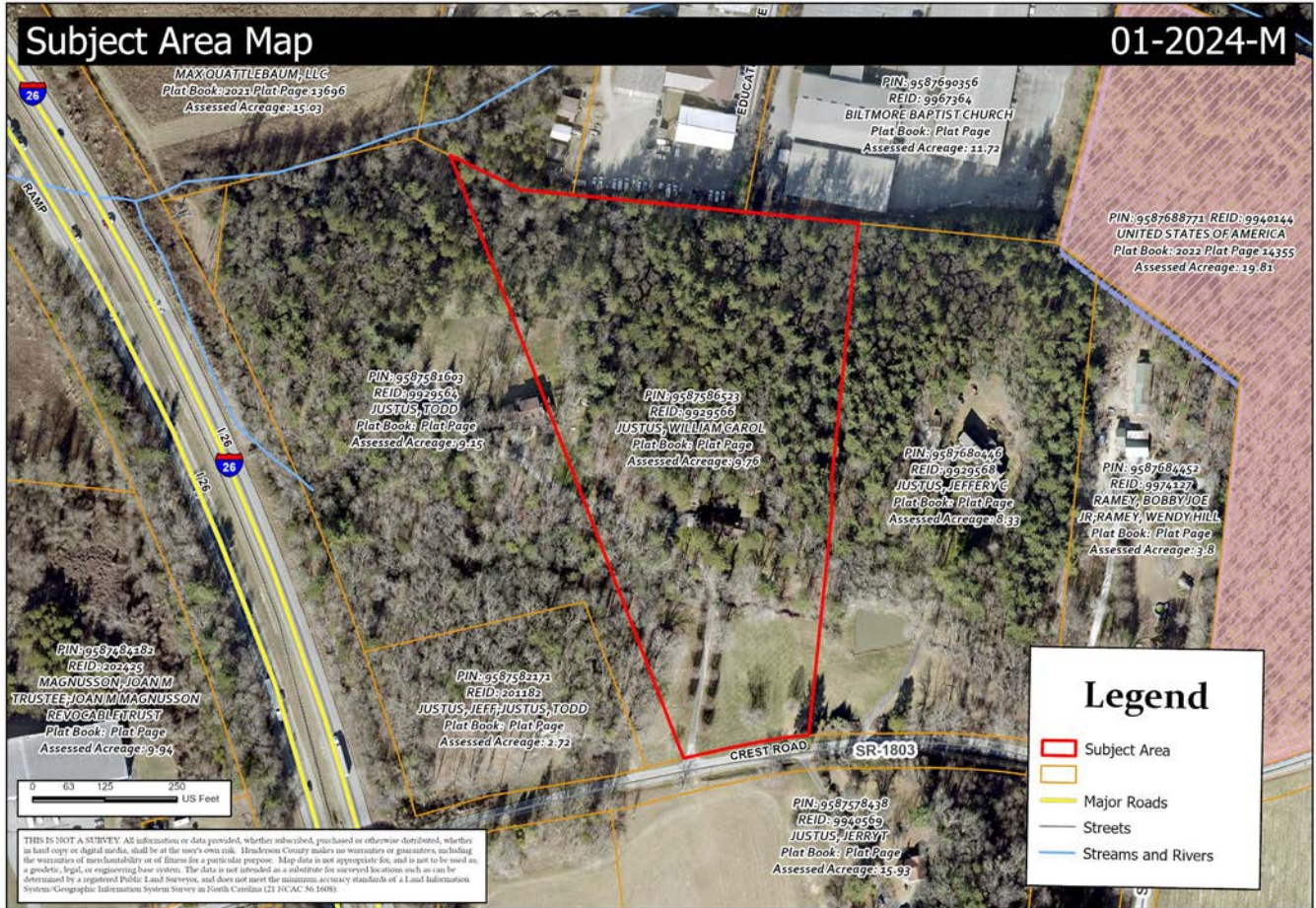
Property Owner(s): William Justice  
Total Acreage: 9.76  
Industrial (I) District



**BACKGROUND:**

The subdivision request for, application #01-2025-M, is for PIN: 9587-58-6523 owned by Justus, William Carol. The subject area is located on Crest Rd (SR 1803). The applicant has requested the 10-acre tract of the property to be subdivided into 2 lots. There is an 1138 square foot residential structure located in the center of the property. The property is not in the present use value program and is not considered agriculture. The property current use is considered residential.

Map B: Subject Area



Property Owner(s): William Justice  
 Total Acreage: 9.76  
 Industrial (I) District



**SUBJECT AREA & ADJACENT PROPERTIES:**

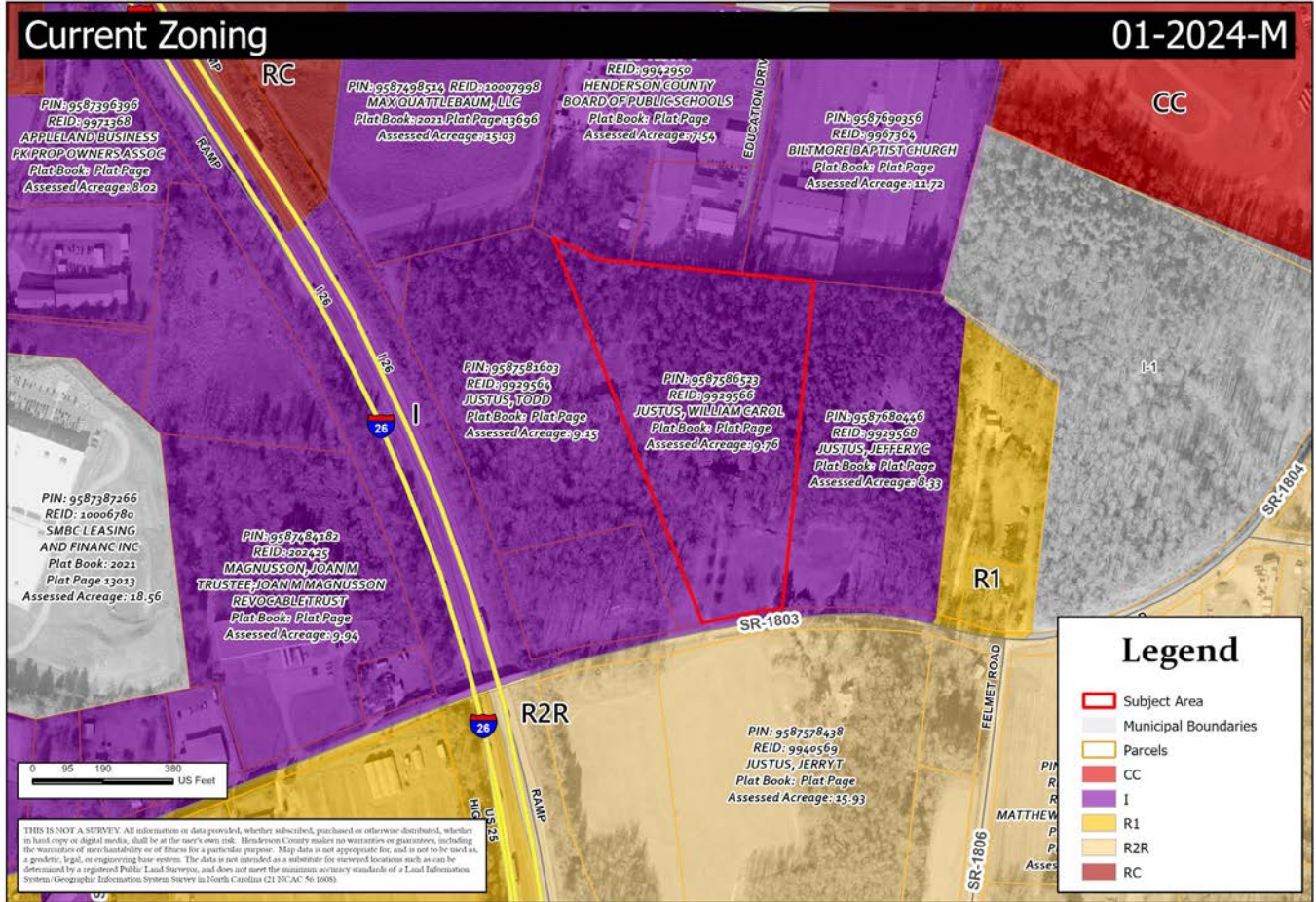
**West:** Immediately west of the property is residential. Further west is I-26.

**South:** South of the subject area are residential uses. Further south is low density residential.

**East:** The property to the east of the subject area contains residential structures and vacant land. Further east is a fixture of commercial and residential.

**North:** To the north of the subject area is the Henderson County Public Schools Facilities and Maintenance Department.

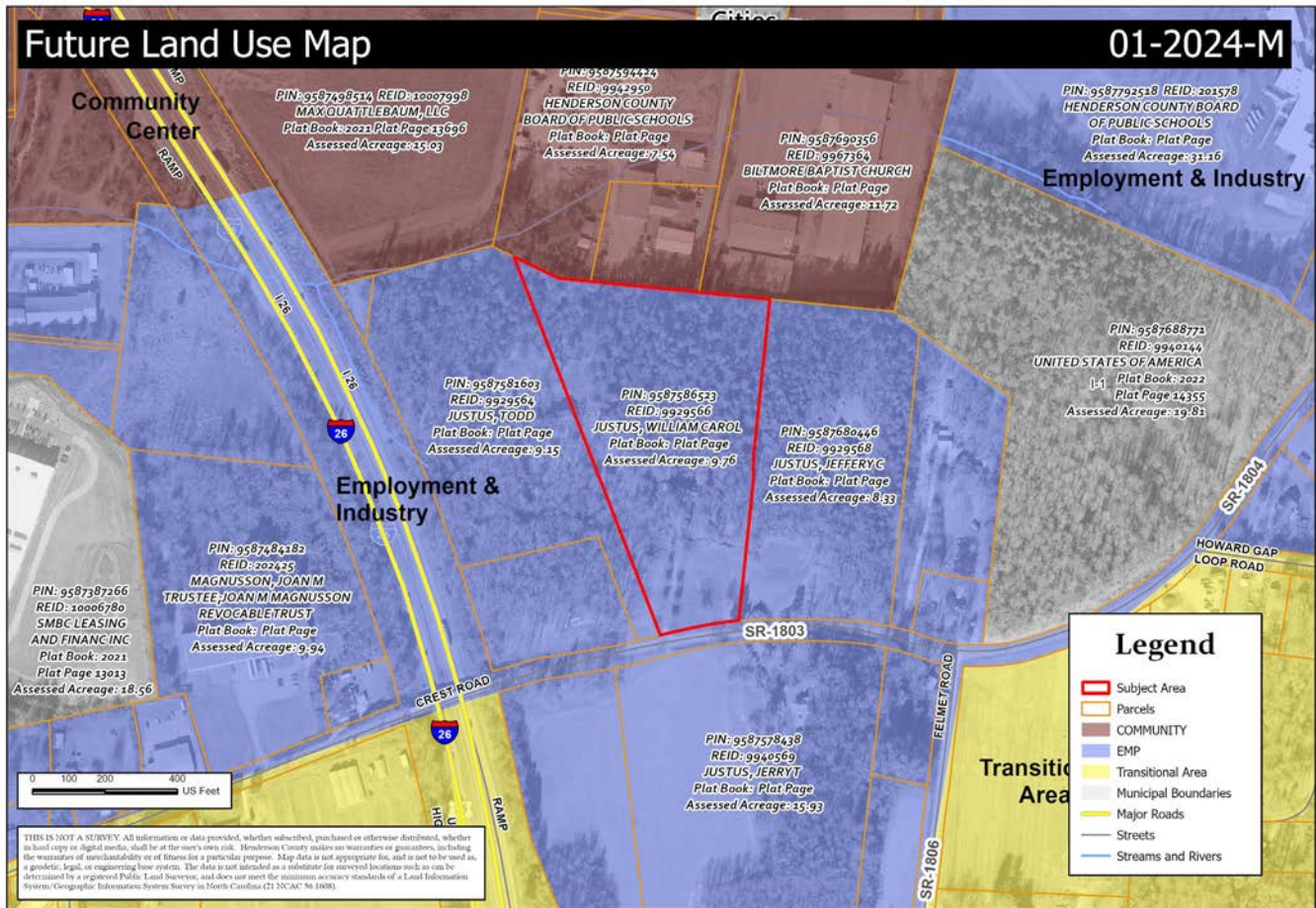
Map C: Current Zoning



Property Owner(s): William Justice  
 Total Acreage: 9.76  
 Industrial (I) District



Map D: 2045 Future Land Use Map



Property Owner(s): William Justice  
 Total Acreage: 9.76  
 Industrial (I) District



**2045 Comprehensive Plan Compatibility**

The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in the **Employment & Industry** character area.

**Employment & Industry:** “Employment & Industry offers job-generation, site-ready parks, accessible road networks, and utilities” (Part 2, page 46).

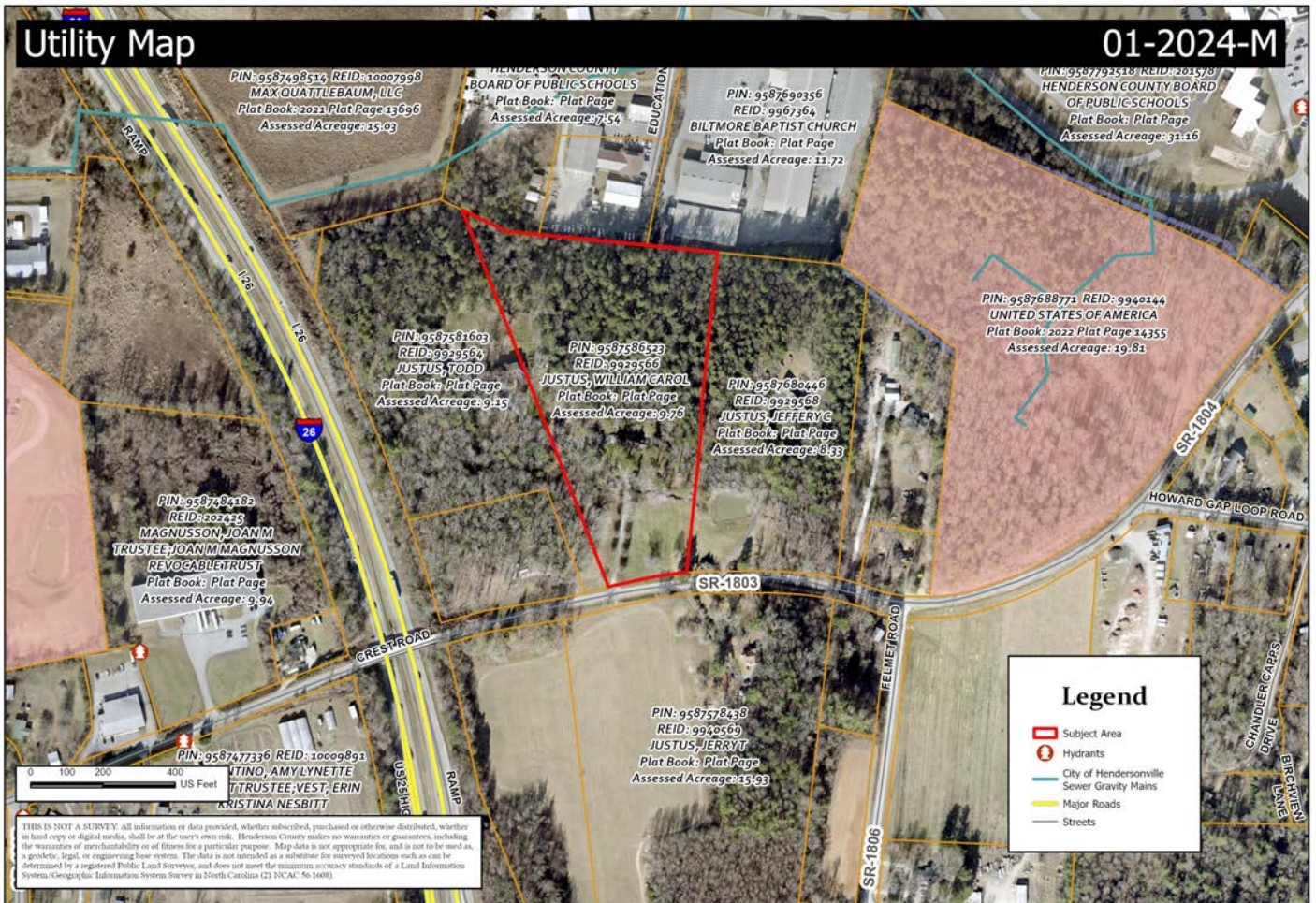
- **Where:** Strategic areas with highway and utility access, large available parcels
- **Uses:** Agricultural uses including processing facilities and large-scale greenhouses, office and light-to-heavy industrial, as appropriate.
  - Industrial (I) is intended for industrial and heavy commercial.
- **Future Character Area:** The current zoning Industrial (I) for the subject area is consistent with the current character area Employment & Industry.
- **Utility Access:** Varies.

- The subject area is adjacent to City of Hendersonville Water and Sewer.

**Goal 1: Coordinate Development Near Existing Community Anchors**

- Industrial (I) zoning helps accomplish Goal 1 of the 2045 Comprehensive Plan. Industrial (I) zoning primary goal is to provide industrial and heavy commercial. The subject area is adjacent to a community center character area.

**Map F: Utility Map**



Property Owner(s): William Justice  
 Total Acreage: 9.76  
 Industrial (I) District



**ANALYSIS:**

According to Chapter 42, Henderson County Land Development Code (LDC) §42-340, the purpose of a Master Plan is to provide general information about the proposed development to allow for an assessment of its impact on the orderly growth and development of

the County, environmental quality, land values, natural features identified on the site analysis sketch and the County's roads and governmental services. During the review of the Master Plan, the Technical Review Committee should take into consideration: applicable recommendations of the *Henderson County 2020 Comprehensive Plan*, the potential use of the land to be subdivided, and the impact of the subdivision and proposed use whether residential, commercial, or industrial.

When reviewing the Master Plan it is important to consider that, due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems and/or the proximity to existing and incompatible land uses/zoning, all land may not be suitable to be subdivided for the purpose of dense development (LDC §42-74).

Staff has reviewed the submitted Master Plan for the Justus Major Subdivision, taking into consideration the recommendations of the *Henderson County 2020 Comprehensive Plan* and reviewing the plan for conformance with Henderson County Land Development Code. Staff offers the following comments:

**Staff Comments:**

1. **Water and Sewer Availability:** The site is proposed to be served by private water and private septic systems.
2. **Open Space Requirements:** 2 lots are proposed, there are no requirements for open space.
3. **Road System:** The subject area currently has access from Crest Rd (SR 1803) through adequate frontage.
4. **Dead Ends, Culs-de-sac, Turnarounds:** All turnarounds must meet the requirements of the LDC §42-110(D).
5. **Perennial and Intermittent Surface Water Buffers:** The project site is outside of the perennial stream buffer. Section §42-250 of the LDC regulates construction and permitting within the surface water buffer, requiring all built-upon areas 30 feet landward of all perennial and intermittent surface waters.
6. **Soil Erosion and Sedimentation Control Plan:** The Applicant shall submit written notice from appropriate local agencies verifying that an Erosion and Sedimentation Control Plan has been received or a written notice from a professional land surveyor, engineer, landscape architect, architect, or professional planner certifying that no plan is required (LDC §42-113B).
7. **Stormwater/Water Quality:** The Applicant shall submit a written notice from the appropriate local agencies verifying that a Stormwater Control Plan is not required.



8. **Drainage, Culverts, Shoulder Stabilization:** Road or drainage structures shall be constructed in accordance with state roads standards. Road drainage side ditches shall be constructed with sufficient depth and width to carry the expected volume of storm water runoff (LDC §42-105). All areas disturbed by the construction of a public road, including cut and fill slopes, shoulders, and ditch banks, shall be seeded to stabilize the soil and prevent erosion. Seeding should be done as soon as feasible after road construction (LDC §42-102).
9. **Miscellaneous Advisory Provisions:** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 42 (LDC §42-87).
10. **Final Plat Requirements:** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §42-342).
11. **NCDOT Driveway Permit.** A NCDOT Driveway permit will be required for the access onto Jeter Mountain Road (SR 1133).
12. **Site Plan Approval.** Any Site Plan received at subject area will be required to seek Major Site Plan approval due to the Industrial (I) District

**STAFF CONCLUSION**

Per Chapter 42 of the Henderson County Land Development Code LDC §42-337, the Technical Review Committee is the final approval authority for this proposed Major Subdivision. The Technical Review Committee may approve, approve with conditions, or deny the proposed Master and/or Development plan if it exhibits deficiencies or is not in compliance with any statute, ordinance, or regulation of the Henderson County Code of Ordinances.

GRID NORTH  
N.A.D. 83/2011

PLAT OF SURVEY  
FOR  
**TODD JUSTUS**  
AND  
**JEFFERY C. JUSTUS**  
BEING A MAJOR SUBDIVISION OF  
DEED BOOK 388, PAGE 281

BLUE RIDGE TOWNSHIP  
HENDERSON COUNTY  
NORTH CAROLINA

SCALE: 1" = 50'  
DECEMBER XXXX, 2024

I, \_\_\_\_\_, Subdivision Administrator for Henderson County, certify that this map has been reviewed and approved as a \_\_\_\_\_ subdivision in accordance with Henderson County Land Development Code.

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  
State of North Carolina, County of Henderson  
This instrument was prepared for registration and recorded in the Office of Register of Deeds in the State and County designated, at Plat Slide \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.  
At \_\_\_\_\_ o'clock \_\_\_\_\_.

BY: \_\_\_\_\_

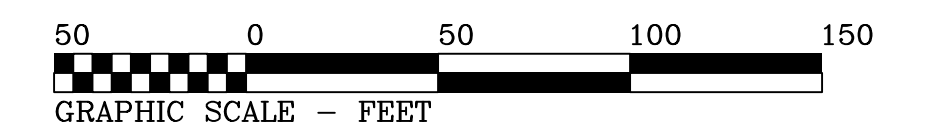
I, DAVID H. HILL, N.C. PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION AND THAT LOCAL HORIZONTAL AND VERTICAL GRID CONTROL WAS ESTABLISHED FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION, AND THAT THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:  
(1) CLASS OF SURVEY: CLASS A  
(2) POSITIONAL ACCURACY: 0.03 HORIZONTAL AT 95%  
(3) TYPES OF GPS FIELD PROCEDURE(S): VRS  
(4) DATES OF SURVEY: AUGUST, 2019  
(5) DATUM/EPOCH: NAD 83/2011  
(6) PUBLISHED/FIXED CONTROL USE:  
(7) GEOID MODEL: GEOID 12B  
(8) COMBINED GRID FACTOR(S): 0.999776301  
(9) UNITS: US SURVEY FOOT  
WITNESS MY SIGNATURE, LICENSE NUMBER, AND SEAL THIS XXTH DAY OF DECEMBER, A.D., 2024.

L-3863  
N.C. PROFESSIONAL LAND SURVEYOR LICENSE #

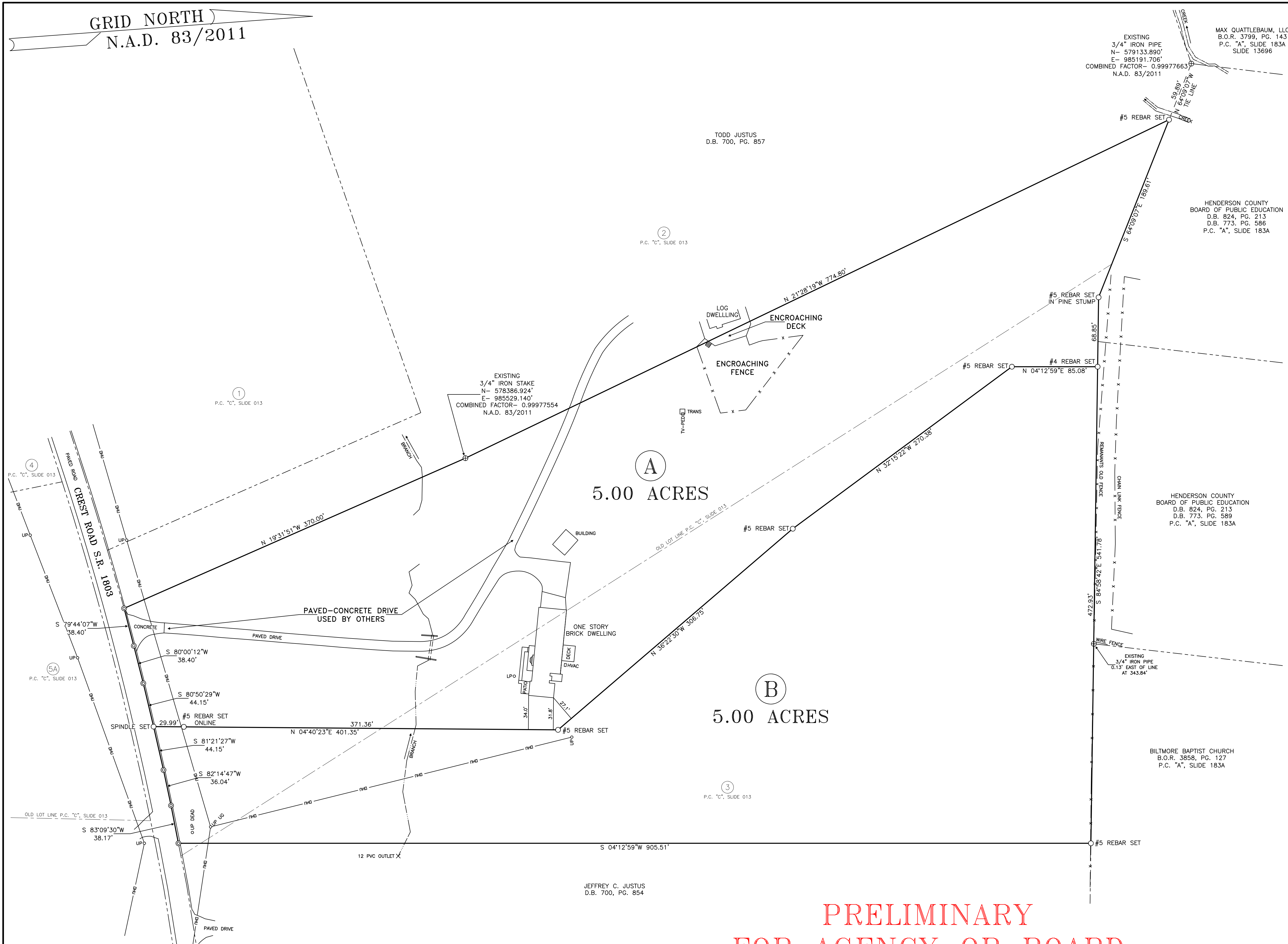
I, DAVID H. HILL, Professional Land Surveyor certify that this survey creates a subdivision of land within a municipality that regulates parcels of land.

I, DAVID H. HILL, certify that this plat was drawn from an actual survey made under my supervision (deed description recorded in Book \_\_\_\_\_, page \_\_\_\_\_, REFERENCES); that the boundaries not surveyed are clearly indicated as drawn from information found in Book \_\_\_\_\_, page \_\_\_\_\_, AS SHOWN; 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 original signature, registration number and seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2024.

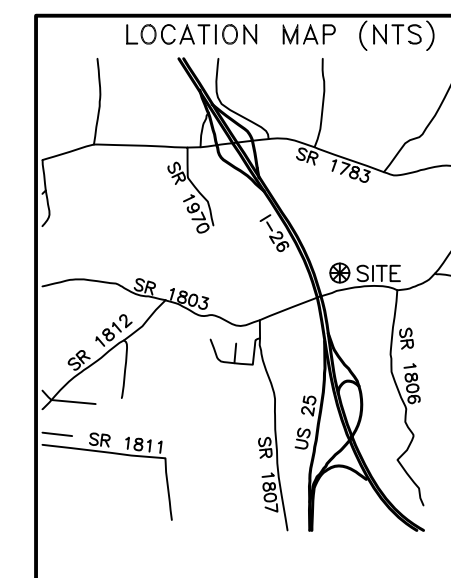
David H. Hill, NCPLS L-3863



**PRELIMINARY  
FOR AGENCY OR BOARD  
REVIEW PURPOSES ONLY**



- 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 MEASUREMENTS UNLESS OTHERWISE NOTED.
  - THE PROPERTY SHOWN IS WITHIN AN AREA ZONED I BY HENDERSON COUNTY. SETBACKS:  
FRONT- 30' (COLLECTOR ROAD - FROM RIGHT OF WAY)  
SIDE- 20'  
REAR- 20'  
PERENNIAL STREAM- 30'
  - THE PRIVATE DRIVES SHOWN HEREON MAY NOT MEET REQUIREMENTS FOR ACCEPTANCE INTO THE STATE ROAD SYSTEM.
  - THE PRIVATE 30' DRIVEWAY EASEMENT SHALL BE MAINTAINED BY THE PROPERTY OWNERS TO ALLOW FOR CLEAR PASSAGE OF EMERGENCY RESPONSE VEHICLES AND MAINTENANCE RESPONSIBILITY OF THE EASEMENT IS CONVEYED TO THE HOMEOWNERS UTILIZING IT TO ACCESS THEIR PROPERTY.
  - THE CURRENT OWNER OF RECORD IS THE ESTATE OF WILLIAM CAROL JUSTUS.
- LEGEND
- MONUMENT FOUND AS NOTED
  - MONUMENT SET AS NOTED
  - 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



DEED REFERENCES: D.B. 388, PG. 281	SURVEY BY <b>HILL AND ASSOCIATES SURVEYORS, P.A.</b> LICENSE NUMBER: C-1991  DAVID H. HILL N.C.P.L.S. 3863  403 WEST BLUE RIDGE ROAD EAST FLAT ROCK, NORTH CAROLINA 28726 (828) 693-1409	
TAX REFERENCES: 9587-58-6523		
PARTY CHIEF: CM		
REVISIONS:		
DATE: DECEMBER XXXX, 2024	CHECKED BY: DHH DRAWN BY: DHH	DRAWING: 20232698 FILE: 20232698