

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
Technical Review Committee

MEETING DATE: July 16th TRC & July 31st ZBA

SUBJECT: Special Use Permit and Variance for a Recreational Vehicle Park

PRESENTER: Toby Linville, Code Enforcement Services Director

ATTACHMENTS:

1. Staff Report
2. Photographs
3. Site Plan

SUMMARY OF REQUEST:

Major site plan review and special use permit for a RV park

Suggested Motion:

I move to approve the major site plan for the Walker RV Park

I recommend forwarding SUP-19-07 to the Henderson County Zoning Board of Adjustment for further review.

In order to grant a special use permit the use must:

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

In order to grant a variance, the applicant must prove:

- a. There are practical difficulties or unnecessary hardships in carrying out the strict letter of this Chapter, as demonstrated by:
 1. The fact that, if the *applicant* complies with the literal terms of this Chapter, he/she cannot secure a reasonable return from, or make a reasonable *use* of, the property.
 2. The hardship of which the *applicant* complains results from unique circumstances related to the *applicant's* land.
 3. The hardship is not the result of the *applicant's* own action.



Henderson County, North Carolina Code Enforcement Services

1. Board Request

- 1.1. **Applicant:** Sharon Walker
- 1.2. **Request:** Recreational Vehicle Park
- 1.3. **PIN:** 9691043945
- 1.4. **Size:** 10.9 acres +/-
- 1.5. **Location:** The subject area is located off S Mills Gap Rd near Fruitland Rd
- 1.6. **Supplemental Requirements:**

SR 4.15. Recreational Vehicle Park

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Perimeter Setback. Fifty (50) feet.
- (4) Recreational Vehicle Spaces. *Recreational vehicle* spaces shall be a minimum of 2,000 square feet and shall have dimensions no less than 40 feet by 50 feet. A *recreational vehicle* space may contain up to four (4) campsites for tent set-up. No *recreational vehicle* space is permitted in the 100-year *floodplain*.
- (5) Common Area. A *common area* shall be provided, that is equivalent in square footage to 25 percent the total square footage in: *recreational vehicle/park model home* spaces, *structures* on site, parking areas and *driveways*. *Common area* shall be accessible for the use and enjoyment of *recreational vehicle park* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
- (6) Operations. The *recreational vehicle park*:
 - a. Shall provide rental spaces:
 1. For the location of *recreational vehicles*, *park model homes* and/or tent set-up,
 2. Which may contain an open or covered porch not exceeding 15 feet in height and not to exceed 400 square feet in area, and
 3. Which have no point of direct access not indicated on the *site plan*;
 - b. May contain *structures* ancillary to the use;
 - c. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs; and
 - d. Shall provide, at the time of application, an evacuation plan for a natural disaster event.
- (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 statutes, ordinances and regulations (including Chapter 95 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 §42-182 (Screen Classification).
- (8) Sewage System. *Recreational vehicle/park model home* spaces shall not be provided individual hookups to a septic tank, *approved public or community sewage disposal system* or *municipal sewage disposal system*; instead, a central dump station shall be provided for the *use* of all occupants. A *recreational vehicle park* shall connect to a *municipal sewage disposal system* when the system is located within a distance equal to the product of 50 feet multiplied by the number of spaces proposed for the *recreational vehicle park*. If a *park* is located more than 2,500 feet from an existing *municipal sewage disposal system*, such connection shall not be required.
- (9) *Common Area Recreation and Service Facilities*. Those facilities within the *recreational vehicle park* shall be for the sole purpose of serving the overnight guests in the *park*, and shall adhere to the development standards established in SR 4.6 (*Common Area Recreation and Service Facilities*).

Map A: Aerial Photo/Pictometry



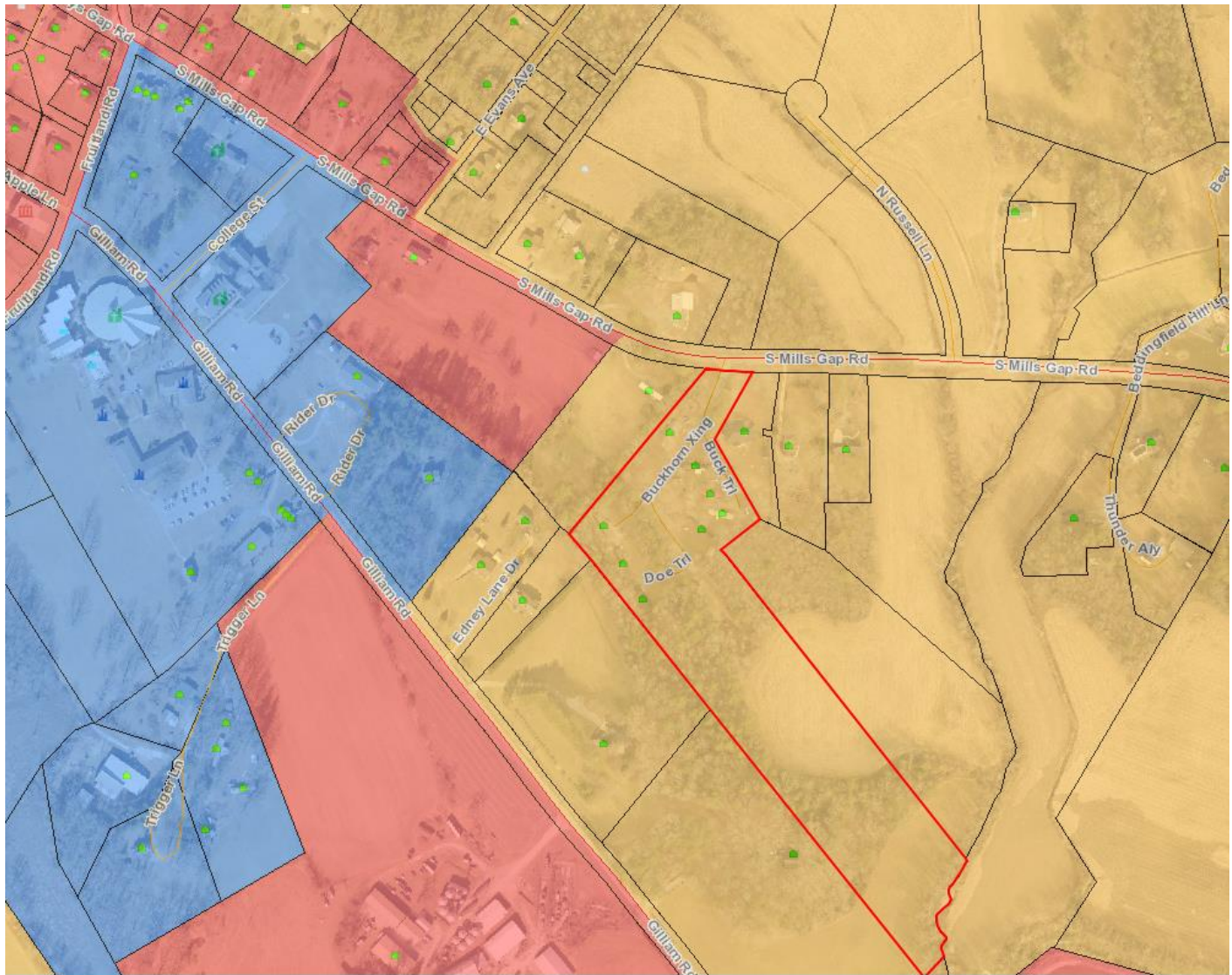
2. Current Conditions

2.1 Current Use: This parcel is currently a manufactured home park.

2.2 Adjacent Area Uses: The surrounding properties consist of residential, commercial and institutional uses.

2.3 Zoning: The surrounding property is zoned Residential Two Rural (R2R).

Map B: Current Zoning



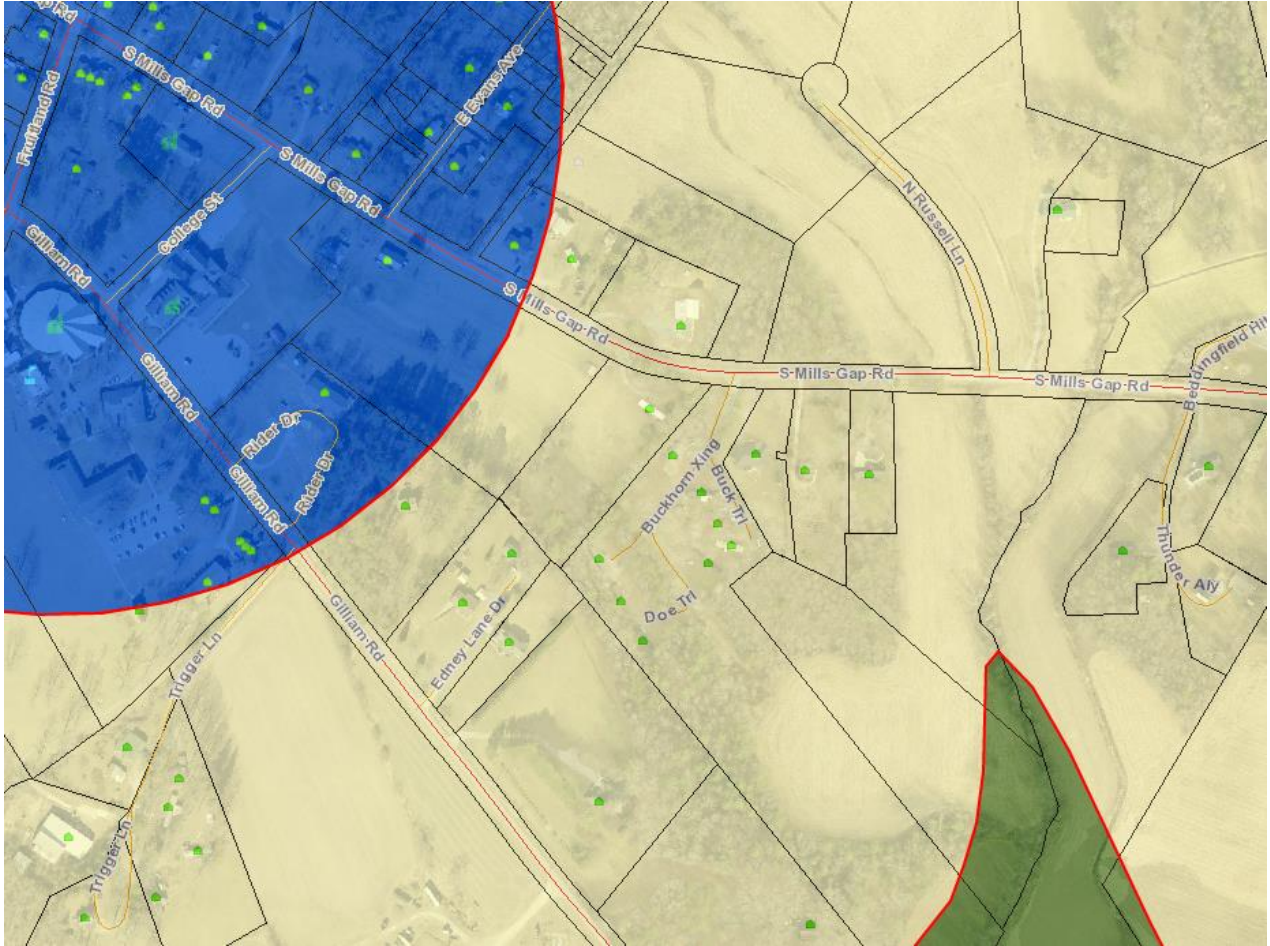
3. Floodplain /Watershed Protection The property is not located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.

4. Water and Sewer Public water and sewer do not serve this property.

Public Water: N/A

Public Sewer: N/A

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

The following is a description of the patterns of development envisioned within the RTA.

1. The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development. Slopes vary across the RTA, although the area can be considered to be generally developable. The primary factor preventing urban development in the RTA is the absence of sewer and water service. The RTA will continue to experience extensive development over the operational timeframe of this Comprehensive Plan.

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. Photographs





07.16.2019 11:08

**HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

GENERAL INFORMATION

Date of Application: June 24, 2019
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: 2 RV Sites SR #: 1586
Existing Structures or Uses on property: Mobile Home Park (7 mobile homes currently)
Road System (Circle): Public Private
Water System (Circle): Individual Community Public (Municipal or County)
Sewer System (Circle): Individual Community Public (Municipal or County)

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

PIN: 9691043945 Deed Book/Page: 847/21 Tract Size (Acres): 10.9
Zoning District: R2R Fire District: Edneyville Watershed: Clear Creek Floodplain: Zone AE 1% (area outside Floodplain)
Location of property to be developed: 64 Buckhorn Crossing Hendersonville 28792 -off Mills Gap Road

CONTACT INFORMATION

Property Owner:

Name: Sharon P. Walker Phone: 828 674-9402
Address: 1030 Gilliam Road City, State, and Zip: Hendersonville, NC 28792

Applicant:

Name: Sharon P. Walker Phone: 828 674-9402

Address: 1030 Gilliam Road City, State, and Zip: Hendersonville, NC 28792 Application No. _____

Agent:

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

Plan Preparer:

Name: STACY KENT RHODES Phone: 828 693-1022
Address: 545 S. GROVE STREET City, State, and Zip: HENDERSONVILLE, N.C. 28792

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:

Well kept RV sites will not materially endanger the public health, safety or welfare.

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

Clean, modern, well kept RV sites will not injure the value of property in the area.

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

Mobile homes are already in the surrounding area. Adding these RV sites will be in harmony with the area.

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

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.

The 2 RV sites will not have an effect on noise, glare, dust, solar access and odor on persons residing in the neighborhood.

- 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.

These 2 RV sites will take the place of a double wide mobile home that formally was on this property. No impact on the groundwater surface water, wetlands, endangered/threatened species, archeological sites, historic preservation sites and unique natural areas.

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).

The 2 RV sites will have a safe traffic flow from Mills Gap Road.

- b. Off-street parking and loading areas.

The 2 RV sites will be located 100-150 hundred ft off Mills Gap Road. Ample room for parking will be available.

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

The 2 RV sites will have electric, cable and internet.

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

The RV sites will be have cement pads, gravel driveways, landscaped with trimmed trees and undergrowth removed.

- 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.

SHARON P. WALKER

Print Applicant (Owner or Agent)

Sharon P. Walker

Signature Applicant (Owner or Agent)

6/27/2019

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: _____

D.B. 847 PG. 21 DEED NORTH

**SITE PLAN PREPARED FOR
SHARON P. WALKER**

SHOWING THE OVERALL EXITING
BUCKHORN BRANCH
MOBILE HOME PARK
CLEAR CREEK TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

JUNE 17th, 2019

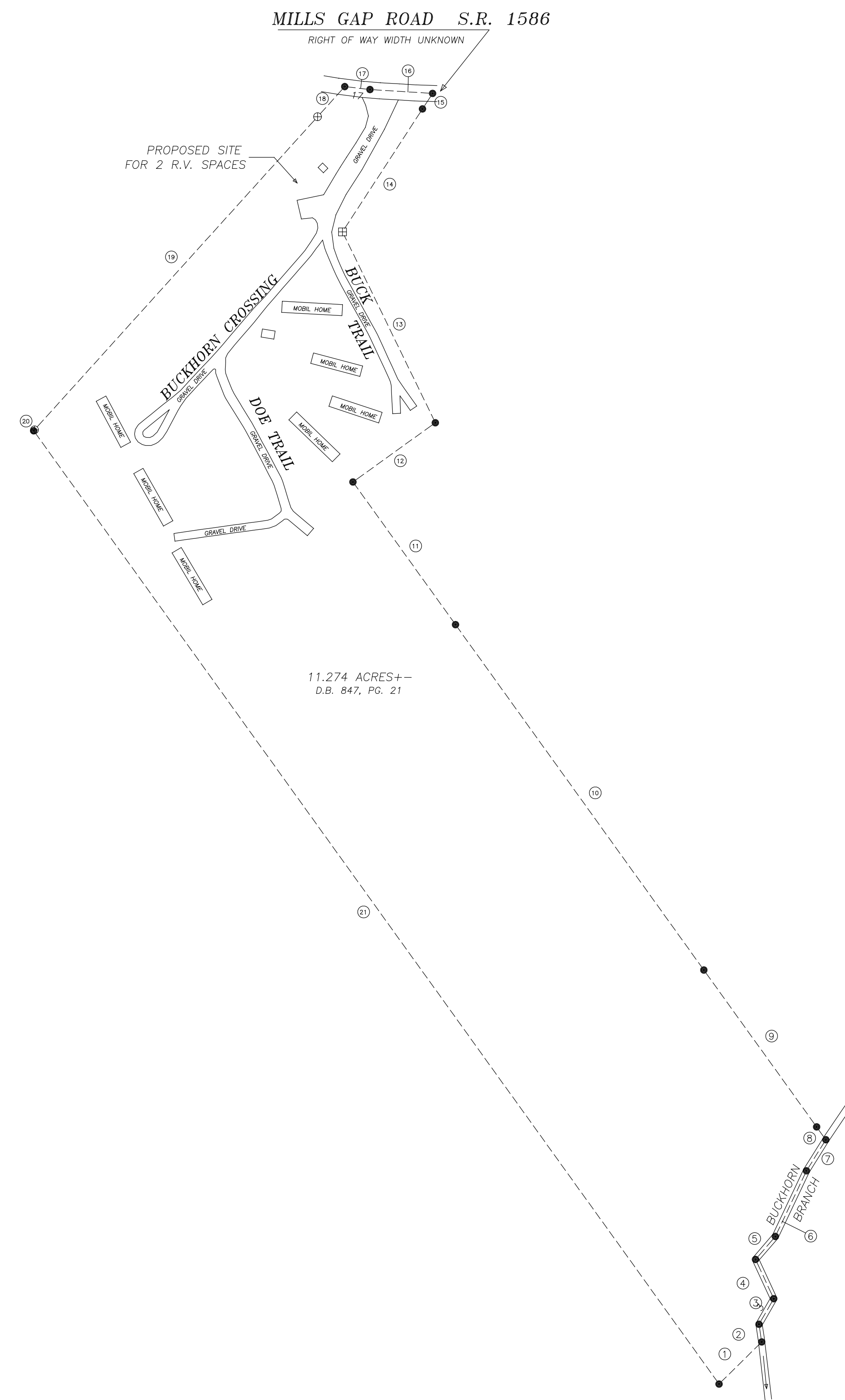
I, STACY KENT RHODES, PROFESSIONAL LAND SURVEYOR,
certify that this plat represents a survey of an existing parcel or
parcels of land and does not create a new street or change an
existing street. G.S. 47-30 (f) (1) (c)

I, STACY KENT RHODES, a PROFESSIONAL LAND SURVEYOR,
certify that this plat was drawn under my supervision from
an actual survey made under my supervision.
(deed description recorded in Book AS, Page SHOWN);
that the boundaries not surveyed are clearly indicated
drawn from information found in Book AS, Page SHOWN;
that the ratio of precision as calculated is 1/ 10,000 ;
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., 20 ____.

PROFESSIONAL LAND SURVEYOR

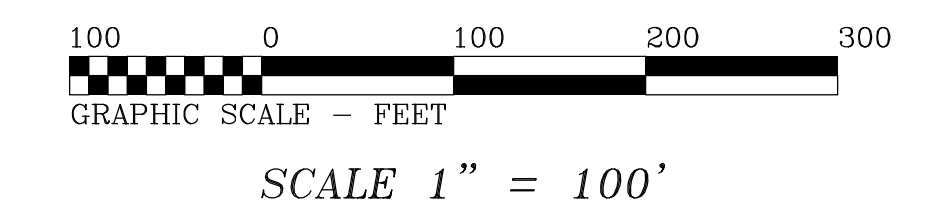
CALL TABLE

COURSE	BEARING	DISTANCE
1	N 45°22'11"E	75.84'
2	N 08°38'04"W	22.59'
3	N 29°52'30"E	37.36'
4	N 24°52'17"W	54.73'
5	N 40°44'41"E	38.39'
6	N 25°21'41"E	91.91'
7	N 31°59'17"E	46.35'
8	N 35°43'07"W	20.00'
9	N 35°43'07"W	244.47'
10	N 35°43'07"W	538.25'
11	N 35°43'07"W	222.31'
12	N 54°16'53"E	128.38'
13	N 25°56'02"W	268.59'
14	N 33°03'30"E	185.96'
15	N 33°03'30"E	23.44'
16	N 86°28'42"W	79.40'
17	N 83°20'02"W	32.10'
18	S 42°06'49"W	51.36'
19	S 42°06'49"W	534.08'
20	S 42°09'12"W	1.58'
21	S 35°43'07"E	1485.57'



NOTES:

1. AREAS DETERMINED BY COORDINATE COMPUTATION.
2. THE CURRENT OWNER OF RECORD IS SHARON P. WALKER AS PER D.B. 847, PG. 21.
3. THE SUBJECT PROPERTY IS CURRENTLY ZONED R2R BY HENDERSON COUNTY.



- LEGEND**
- ⊕ EXISTING CORNER MONUMENT AS NOTED
 - ⊖ NEW IRON PIPE SET OR AS NOTED
 - COMPUTED POINT—NOT STAKED
 - ⊠ CONCRETE MONUMENT AS NOTED

<p>REFERENCES: DEED: D.B. 847, PG. 21</p> <p>PLAT:</p> <p>TAX ID REFERENCE: 9691-04-3945</p> <p>SCREEN FILE: 19-036</p> <p>DWG FILE: 19-036</p> <p>REVISIONS:</p>	<p>VICINITY MAP (N.T.S.)</p>	<p>SURVEY BY STACY KENT RHODES NC PLS 2959</p> <p>WAGGONER & RHODES LAND SURVEYORS, PLLC. NC FIRM #C-1129</p> <p>545 SOUTH GROVE STREET HENDERSONVILLE, NORTH CAROLINA 28792 PHONE: (828) 693-1022 FAX: (828) 693-4019</p>
<p>DATE: JUNE 17th, 2019</p>		<p>DRAWN BY: DKS/SKR</p>
<p>JOB NUMBER: 19-036</p>		

D.B. 847 PG. 21
DEED NORTH

PLAT OF SURVEY FOR
SHARON P. WALKER

BEING A TOPOGRAPHICAL SITE PLAN
OF A PORTION OF THE PROPERTY
DESCRIBED IN D.B. 847, PG. 21

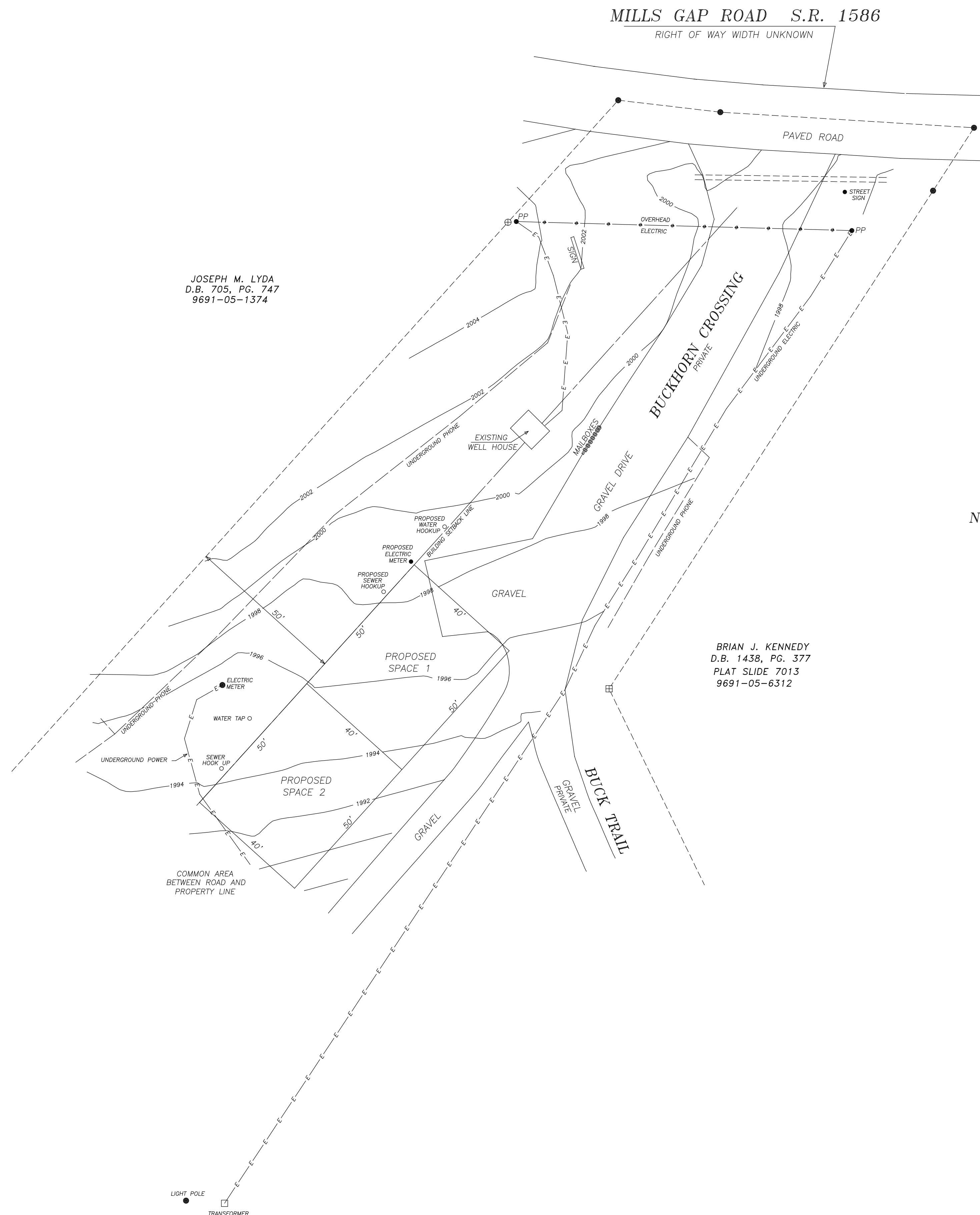
CLEAR CREEK TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

MAY 23rd, 2019

I, STACY KENT RHODES, PROFESSIONAL LAND SURVEYOR, certify that this survey is of a category which is an exception to the definition of a subdivision, G.S. 47-30 (f)(11)(d).

I, STACY KENT RHODES, a PROFESSIONAL LAND SURVEYOR, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book AS, Page SHOWN); that the boundaries not surveyed are clearly indicated drawn from information found in Book AS, Page SHOWN; that the ratio of precision as calculated is $1/10,000$; 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., 20 ____.

PROFESSIONAL LAND SURVEYOR



JOSEPH M. LYDA
D.B. 705, PG. 747
9691-05-1374

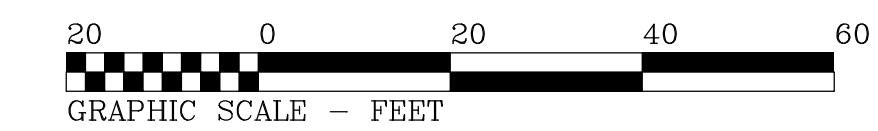
BRIAN J. KENNEDY
D.B. 1438, PG. 377
PLAT SLIDE 7013
9691-05-6312

NOTES:

1. AREA DETERMINED BY COORDINATE COMPUTATION.
2. THE CURRENT OWNER OF RECORD IS SHARON P. WALKER AS PER D.B. 847, PG. 21.
3. THE SUBJECT PROPERTY IS CURRENTLY ZONED R2R BY HENDERSON COUNTY WITH THE FOLLOWING SETBACKS: FRONT OR FROM EDGE OF RIGHT OF WAY - 20' - (COLLECTOR) SIDE AND REAR - 10'.
4. COMMON AREA WILL EXCEED 25% OF THE TOTAL SQUARE FOOTAGES OF R.V. SPACES, STRUCTURES ON SITE, PARKING SPACES AND DRIVEWAYS.

CONTACT INFORMATION

OWNER/DEVELOPER:
SHARON P. WALKER
1030 GILLIAM ROAD
HENDERSONVILLE, NC 28792
PHONE 828-674-9402



SCALE 1" = 20'

- LEGEND
- ⊕ EXISTING CORNER MONUMENT AS NOTED
 - NEW IRON PIPE SET OR AS NOTED
 - COMPUTED POINT-NOT STAKED
 - CONCRETE MONUMENT AS NOTED

REFERENCES: DEED: D.B. 847, PG. 21	VICINITY MAP (N.T.S.) 	SURVEY BY STACY KENT RHODES NC PLS 2959
PLAT:		WAGGONER & RHODES LAND SURVEYORS, PLLC. NC FIRM #C-1129
TAX ID REFERENCE: 9691-04-3945		545 SOUTH GROVE STREET HENDERSONVILLE, NORTH CAROLINA 28792 PHONE: (828) 693-1022 FAX: (828) 693-4019
SCREEN FILE: 19-036TP		
DWG FILE: 19-036TP		
REVISIONS:		
DATE: MAY 23rd, 2019	DRAWN BY: DKS/SKR	JOB NUMBER: 19-036