

**REQUEST FOR COMMITTEE ACTION**

**HENDERSON COUNTY**

**TECHNICAL REVIEW COMMITTEE**

MEETING: TRC 2-18-20 ZBA 2-26-20

SUBJECT: **Major Site Plan Review – Burns Office**

PRESENTER: **Toby Linville**

ATTACHMENTS: **Staff Report**

SUMMARY OF REQUEST: **Major site plan review Office**

SUGGESTED MOTION:

**I move to approve/deny SUP-20-01 because the use will:**

- 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.**



## Henderson County, North Carolina Code Enforcement Services

### 1. Committee Request

- 1.1. **Applicant:** Adrian Burns
- 1.2. **Request:** Major Site Plan Approval/SUP-20-01
- 1.3. **PIN:** 9585592501
- 1.4. **Size:** 1.36 acres +/-
- 1.5. **Location:** N Lake Summit Rd
- 1.6. **Supplemental Requirements:**

#### **SR 6.9. Office: Business, Professional and Public**

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (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.

**Map A: Pictometry/Aerial Photography**





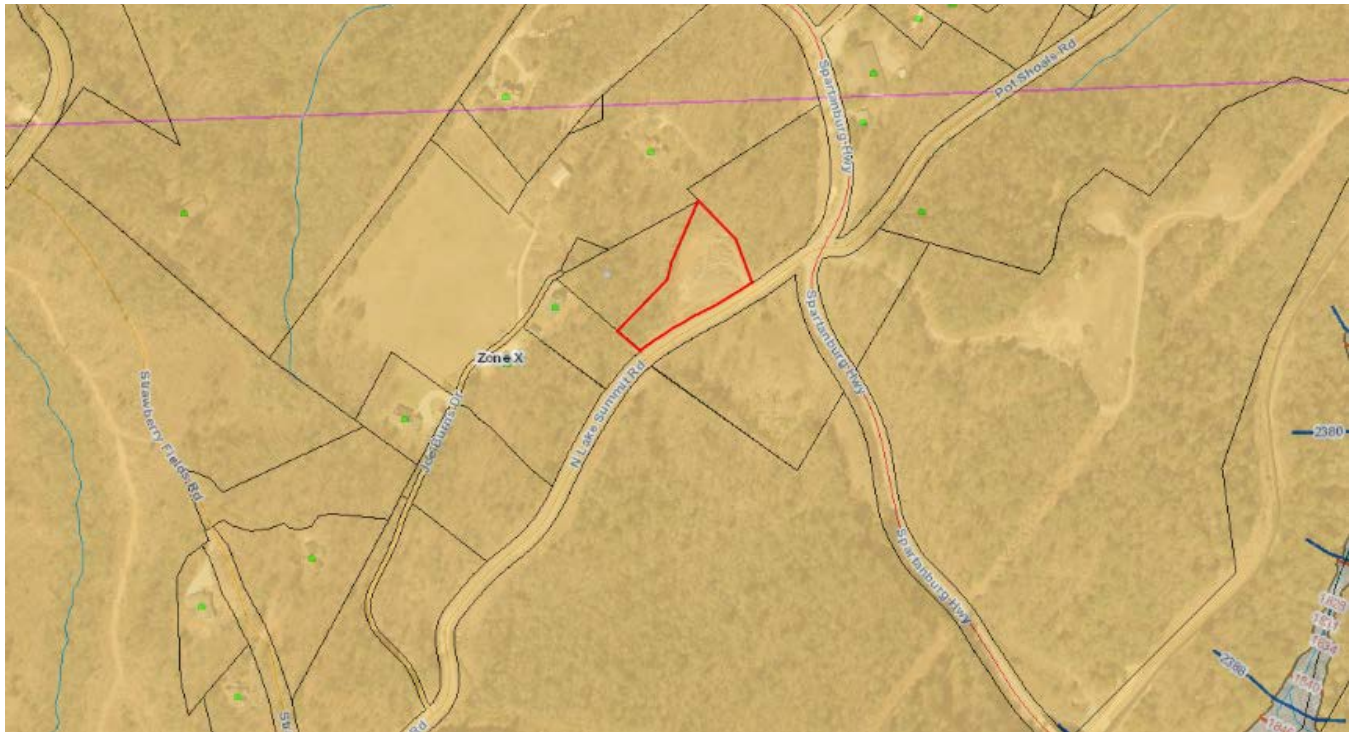
**2. Current Conditions**

**Current Use:** This parcel is currently Burns Tree storage yard

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

**Zoning:** The surrounding properties are Residential Two Rural.

**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** This property is served by individual well and septic.

**Public Water:** n/a

**Public Sewer:** n/a

**Map C: CCP Future Land Use Map**



**5. Comprehensive Plan**

**The 2020 CCP:** The CCP Future Land Use Map places the Subject Area in the Rural/Urban Transition Community. 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 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 approve the Major Site Plan.

**7. Photographs**















## HENDERSON COUNTY SPECIAL USE PERMIT APPLICATION FORM

**GENERAL INFORMATION**Date of Application: 1-22-2020Previously Submitted (Circle One): Yes ☐ No ☒

Date of Pre-Application Conference: \_\_\_\_\_

Site Plan Attached (Circle One) ☒ Yes ☐ NoTraffic Impact Study Required (Circle One): Yes ☐ No ☒**SPECIAL USE PERMIT INFORMATION**

Type of use to be permitted: \_\_\_\_\_ SR #: \_\_\_\_\_

Existing Structures or Uses on property: Park work trucks & store equipment in buildingRoad 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: 4885592501 <sup>2501</sup> 9585593687 <sup>1073/109</sup> Deed Book/Page: 1587/52 Tract Size (Acres): 1.36000000Zoning District: R2R Fire District: Green River Watershed Floodplain: Zone XLocation of property to be developed: 174 East R on Lake Summit Road  
2nd on R clearing area**CONTACT INFORMATION****Property Owner:**Name: Adrian BurnsPhone: (828) 674-7124Address: 3771 Spartanburg Hwy.City, State, and Zip: Flat Rock NC, 28731**Applicant:**Name: Adrian BurnsPhone: (828) 674-7124

Application No. \_\_\_\_\_

Address: \_\_\_\_\_ City, State, and Zip: \_\_\_\_\_

**Agent:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City, State, and Zip: \_\_\_\_\_

Agent Form (Circle One):      Yes      No

**Plan Preparer:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City, State, and Zip: \_\_\_\_\_

**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:

The use of area will not 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.

Installed 40X40X16 Building, gravel whole area with gravel, chain link fence & privacy screened over road frontage.

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

Noise will be down & dust will be lessened due to gravel on road and parking area. Fence will be installed to protect area with chain link around whole perimeter. Lights will be installed also.

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.

Will comply with state & federal statutes and regulations

- 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 any municipality of the County.

Trucks will load & unload in parking area and not exceed outside of area.



- 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.

Septic will be inside building with water use system. Gravel will be used on driveway and parking area. Fence will be installed with privacy screening.

- 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.

Drains will be installed for drainage, grass will be planted to prevent erosion.

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).

All trucks will enter & exit 2 entrances. This will reduce any automotive/pedestrian safety.

- b. Off-street parking and loading areas.

All loading & unloading in parking area only. Not in main road.

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

Water use and septic system installed.

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

Banks and ditches will be seeded with grass & rocks for drainage.

- e. Structures (with particular reference to location, size and use).

Metal Building installed 40'x40'x16' with 2 garage doors & entrance, with water and septic system, office use and storage use equipment.

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

ADRIAN BURNS

Print Applicant (Owner or Agent)

Adrian Burns

Signature Applicant (Owner or Agent)

1-22-2020

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: \_\_\_\_\_

DEED NORTH  
D.B.1448 PG.576

PLAT OF SITE PLAN FOR  
SPECIAL USE PERMIT  
**ADRIAN H. BURNS**  
OWNER

3771 SPARTANBURG HIGHWAY  
FLAT ROCK, NC 28731  
PHONE: 828-674-7124

GREEN RIVER TOWNSHIP  
HENDERSON COUNTY  
NORTH CAROLINA

JANUARY 27th, 2020  
SCALE 1" = 50'

I, STEVEN LLOYD WAGGONER, 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. 47-30.1(f) (11) (c)

*Steven Lloyd Waggoner*

DAVID REDDING KINGERY  
BOR.3257 PG.398  
PLAT SLIDE 8568 &  
PLAT SLIDE 8722  
PIN 9585498397  
R2R ZONING

GARRETT ADRIAN BURNS  
BOR.3337 PG.166  
PLAT SLIDE 11782  
PIN 9585590535  
R2R ZONING

BRIGITTE H. BURNS  
D.B.1387 PG.102  
PIN 95855383689  
R2R ZONING

1.63 AC.

EXISTING  
FLAT GRADED & GRAVELED AREA  
TO BE USED FOR LOADING/UNLOADING  
AND PARKING FOR WORK TRUCKS

PROJECT DESCRIPTION

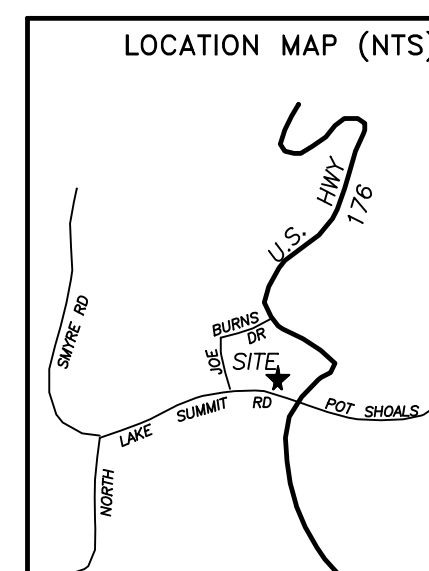
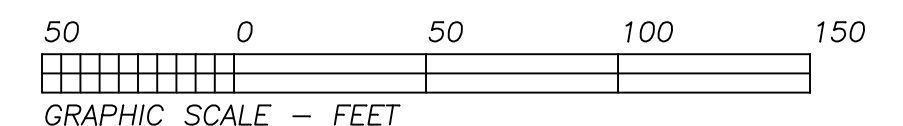
- ONE EXISTING LOT WITH ONE PROPOSED BUILDING
- ONE UNIT ON 1.63 ACRES
- ROAD FRONTAGE: 350'+-
- PROPERTY IS LOCATED IN ZONE "X"(OUTSIDE OF FLOOD PLAIN)
- PROPERTY IS LOCATED WITHIN GREEN RIVER FIRE DISTRICT
- CHAIN LINK FENCING TO BE INSTALLED AS SHOWN ON PERIMETER
- LIGHTING MITIGATION REQUIRED FOR ANY EXTERIOR LIGHTING
- PRIVATE GARBAGE COLLECTION PROVIDED BY OWNER

NOTES:

- 1) AREA DETERMINED BY COORDINATE COMPUTATION
- 2) THE CURRENT OWNER OF RECORD IS ADRIAN H. BURNS AS PER D.B.1673, PG.109.
- 3) AREA INCLUDES ANY AND ALL PORTIONS OF PROPERTY UNDER RIGHTS OF WAY AND/OR EASEMENTS, EITHER ACQUIRED OR CLAIMED.
- 4) THIS SUBJECT PROPERTY IS CURRENTLY ZONED R2R, WITH BUILDING SETBACK DIMENSIONS OF: FRONT/ROW 15'; SIDE & REAR 10'.
- 5) THERE IS RESERVED A 30' BUILDING SETBACK AND VEGETATIVE BUFFER FROM ANY AND ALL PERENNIAL STREAMS.
- 6) THIS SUBJECT PROPERTY DOES NOT LIE WITHIN ONE-HALF MILE OF AN AGRICULTURAL DISTRICT.

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.1673 PG.109

PLAT: PLAT SLIDE 11782  
PLAT SLIDE 9614  
PLAT SLIDE 8722

TAX ID REFERENCE:  
9585592501

SCRN FILE 11059ASP

DWG FILE:

REVISIONS:



SURVEY BY  
**STEVEN LLOYD WAGGONER**  
NC PLS 2874

WAGGONER & RHODES  
LAND SURVEYORS, PLLC.

545 SOUTH GROVE STREET  
HENDERSONVILLE, NORTH CAROLINA 28792  
PHONE: 828-693-1022  
FAX: 828-693-4019

DATE: JANUARY 27th, 2020 DRAWN BY: SLW/DKS JOB NUMBER: 11-059