

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY

TECHNICAL REVIEW COMMITTEE

MEETING: TRC 7-7-20 ZBA 7-29-20

SUBJECT: **Major Site Plan Review – Oliver Burns Office (All Pro Tree)**

PRESENTER: **Mike Williams**

ATTACHMENTS: **Staff Report**

SUMMARY OF REQUEST: **Major site plan review Office and Outdoor Storage > 5,000sf**

SUGGESTED MOTION:

I move that the TRC approve the major site plan for Burns

I recommend forwarding the Special Use Permit to the Zoning Board of Adjustment



Henderson County, North Carolina Code Enforcement Services

1. Committee Request

- 1.1. **Applicant:** Oliver Burns
- 1.2. **Request:** Major Site Plan Approval/SUP-20-05
- 1.3. **PIN:** 9681616775
- 1.4. **Size:** 3.52 acres +/-
- 1.5. **Location:** 644 Townsend 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.

SR 2.10. Outdoor Storage > 5,000sf

- (1) Locational Requirement. Storage area shall not be placed in a *front yard*.
- (2) Screening. Screen Class Three (3) or Four (4) shall be provided consistent with the requirements of §42-182 (Screen Classification).

Map A: Aerial Photography



2019 GoMaps



2/23/2020 Pictometry

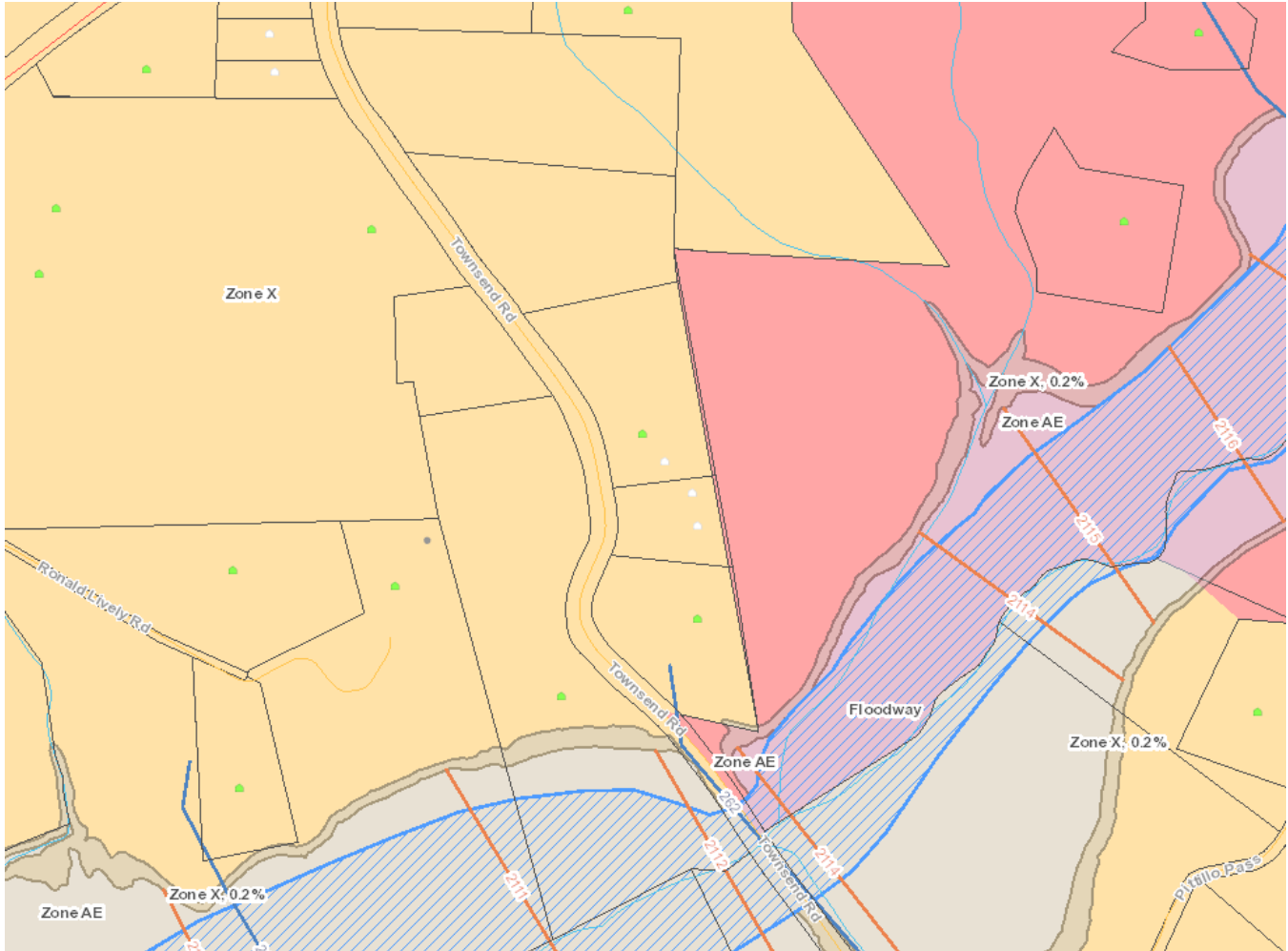
2. **Current Conditions**

Current Use: This parcel has two permitted residential manufactured homes and is also used as All Pro Tree and Crane’s storage yard

Adjacent Area Uses: The surrounding properties consist of residential, a cemetery, agricultural, and a riparian habitat conservation area.

Zoning: The surrounding properties are Residential Two Rural and Local Commercial.

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

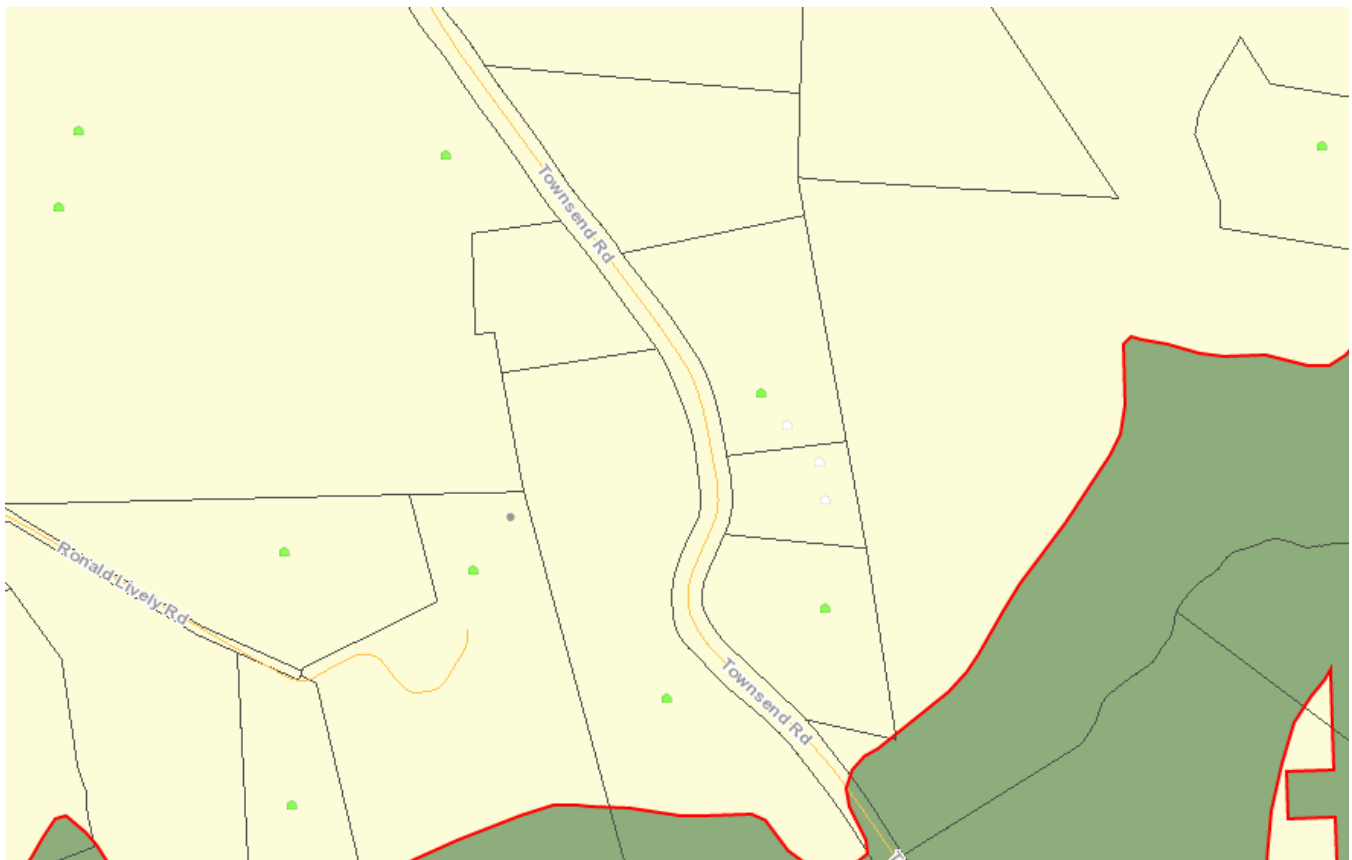
Public Sewer: n/a

5. Comprehensive Plan

The Henderson County Comprehensive Plan (CCP): The CCP Future Land Use Map places the Subject Area in the Rural/Urban Transition Community (RTA). The following is a description of the patterns of development envisioned within the RTA:

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.

Map C: CCP Future Land Use Map



6. Staff Recommendations

Staff's position currently, 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: 6-11-2020
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: Tree Service SR #: _____
Existing Structures or Uses on property: Park equipment
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: 9681616775 Deed Book/Page: 1504-237 Tract Size (Acres): 3.52
Zoning District: R2R Fire District: Clark Creek Watershed Floodplain: _____
Location of property to be developed: 642 Townsend Rd

CONTACT INFORMATION

Property Owner:
Name: Oliver Burns Phone: 828-674-2119
Address: 95 Waggoners Way City, State, and Zip: Saluda, NC 28773
Applicant:
Name: Oliver Burns Phone: 828-674-2119

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:

Follow all safety guidelines

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

No, as -there is currently a cemetery across from property, as well as seasonal operation of a huckleberry farm and a saw mill beyond the property on same road.

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

Yes, hours of operation are 7-5, no exterior lighting, Monday-Friday

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 any 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.

Yes, work crews enter and exit property in morning and afternoon

- 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.

Equipment is maintained effectively and environmentally friendly, major equipment repair is done off site.

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).

Two gravelled entrance and/or exit access

- b. Off-street parking and loading areas.

Not applicable

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

Not applicable

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

Dirt berm along Townsend Road

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

No structure on property

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

Oliver Burns

Print Applicant (Owner or Agent)

Oliver Burns

Signature Applicant (Owner or Agent)

6-11-2020

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: _____

CALL TABLE

COURSE	BEARING	DISTANCE
1	N 08°10'19"W	56.74'
2	N 13°06'06"W	87.38'
3	N 22°53'27"W	73.59'
4	N 25°55'49"W	27.82'
5	N 34°39'55"W	235.73'

**PLAT NORTH
SLIDE 11433**

SITE PLAN PREPARED FOR
OLIVER U. BURNS
AND WIFE,
LISA BARNWELL BURNS
OWNERS
95 WAGGONERS WAY
SALUDA, NC 28773
(828) 674-2119

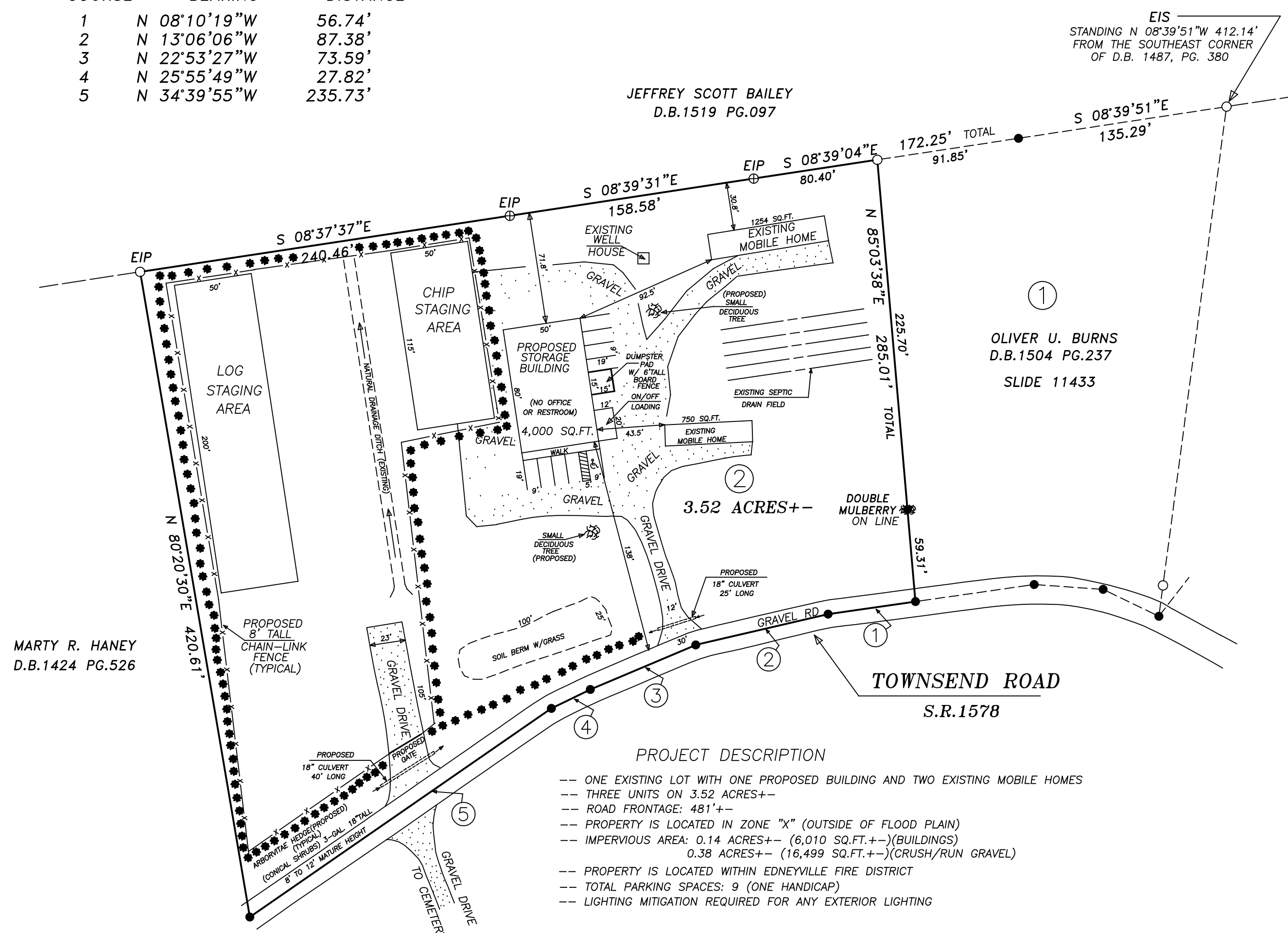
CLEAR CREEK TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA
JUNE 23rd, 2020

LISA K. RETHI
AND
DAVID W. GRAJEK
D.B.1487 PG.380

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

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) (11) (c)

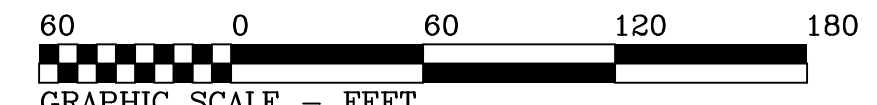


PROJECT DESCRIPTION

- ONE EXISTING LOT WITH ONE PROPOSED BUILDING AND TWO EXISTING MOBILE HOMES
- THREE UNITS ON 3.52 ACRES+-
- ROAD FRONTAGE: 481'+-
- PROPERTY IS LOCATED IN ZONE "X" (OUTSIDE OF FLOOD PLAIN)
- IMPERVIOUS AREA: 0.14 ACRES+- (6,010 SQ.FT.+-)(BUILDINGS)
0.38 ACRES+- (16,499 SQ.FT.+-)(CRUSH/RUN GRAVEL)
- PROPERTY IS LOCATED WITHIN EDNEYVILLE FIRE DISTRICT
- TOTAL PARKING SPACES: 9 (ONE HANDICAP)
- LIGHTING MITIGATION REQUIRED FOR ANY EXTERIOR LIGHTING

MARTY R. HANEY
D.B.1424 PG.526

OLIVER U. BURNS
D.B.1504 PG.237
SLIDE 11433



SCALE 1" = 60'

NOTES:

- 1) AREA DETERMINED BY COORDINATE COMPUTATION
- 2) THE CURRENT OWNERS OF RECORD ARE OLIVER U. BURNS AND WIFE, LISA BARNWELL BURNS, AS PER D.B.1472, PG.357, D.B.1504, PG.237 AND D.B.1517, PG.115.
- 3) AREA INCLUDES ANY AND ALL PORTIONS OF PROPERTY UNDER RIGHTS OF WAY AND/OR EASEMENTS, EITHER ACQUIRED OR CLAIMED.
- 4) THIS PROPERTY IS CURRENTLY ZONED R2-R (RESIDENTIAL 2-RURAL), 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 PROPERTY LIES WITHIN ONE-HALF MILE OF AN AGRICULTURAL DISTRICT.

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

REFERENCES:

DEED: D.B.1517 PG.115
D.B.1504 PG.237
D.B.1472 PG.357

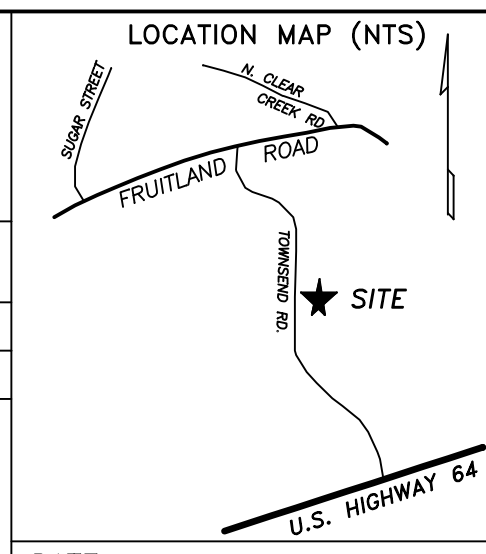
PLAT:
PLAT SLIDE 11433
PLAT SLIDE 9616

TAX ID REFERENCE:
9681616775

SCREEN FILE: 20-046

DWG FILE: 20-046

REVISIONS:



SURVEY BY
STACY KENT RHODES
NC PLS 2959

WAGGONER & RHODES
LAND SURVEYORS, PLLC.
NC FIRM #C-1129

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

DATE: JUNE 23rd, 2020
DRAWN BY: DKS
JOB NUMBER: 20-046