

**REQUEST FOR COMMITTEE ACTION**  
**HENDERSON COUNTY**  
**ZONING BOARD OF ADJUSTMENT**

MEETING: TRC 5-18-21 & ZBA 5-26-21

SUBJECT: **Special Use Permit – Hideaway Park Expansion SUP-21-03**

PRESENTER: **Matt Champion**

ATTACHMENTS: **Staff Report & Site Plan**

SUMMARY OF REQUEST: **Special use permit review for Recreational Vehicle Park**

SUGGESTED MOTION:

**I move to approve/deny SUP-21-03 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

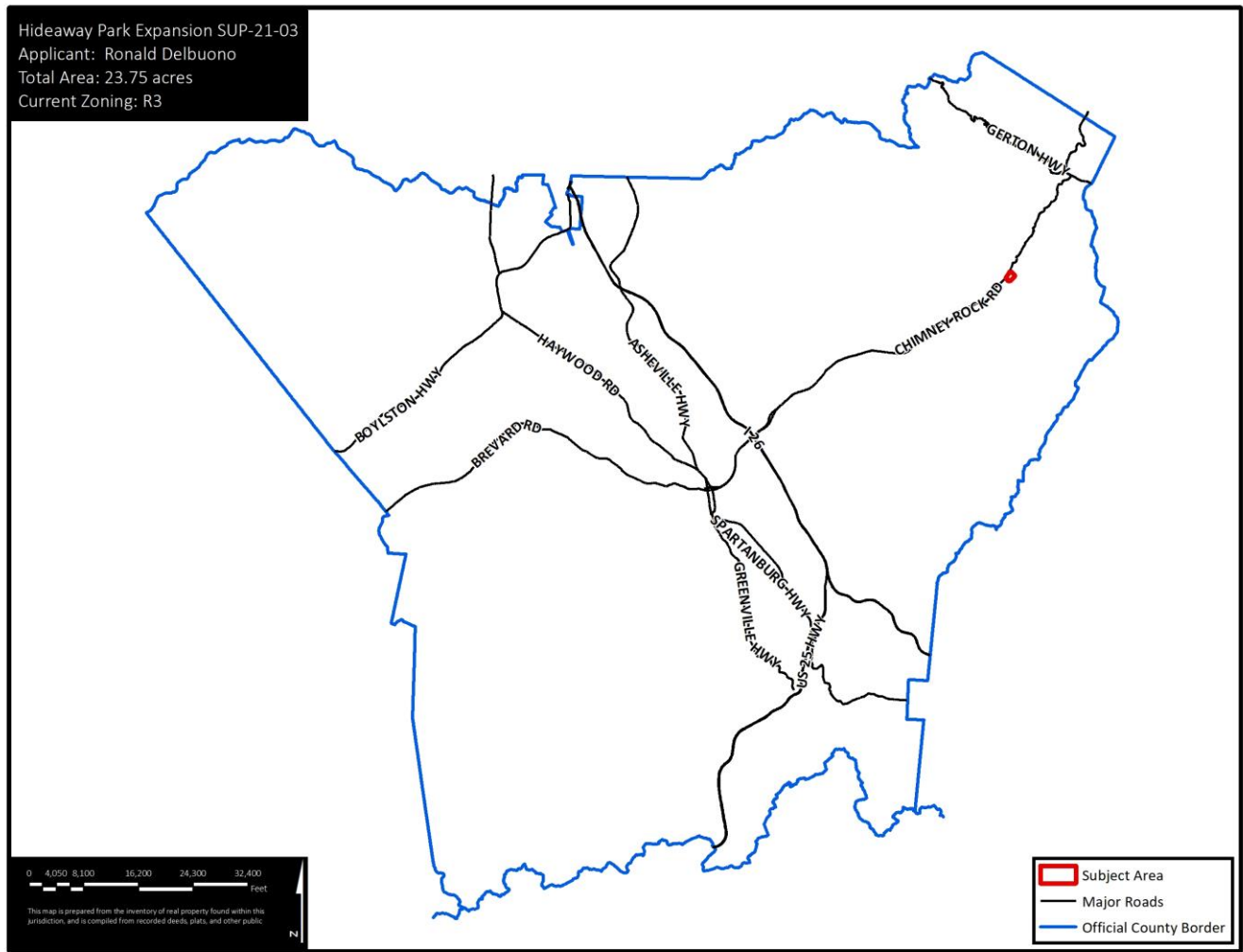
### 1. Committee Request

- 1.1. **Applicant:** Ronald Delbuono
- 1.2. **Request:** Major Site Plan Approval/SUP-21-03
- 1.3. **PIN:** 0612-20-2510
- 1.4. **Size:** 23.75 acres +/-
- 1.5. **Location:** 4344 Chimney Rock Road.
- 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*).

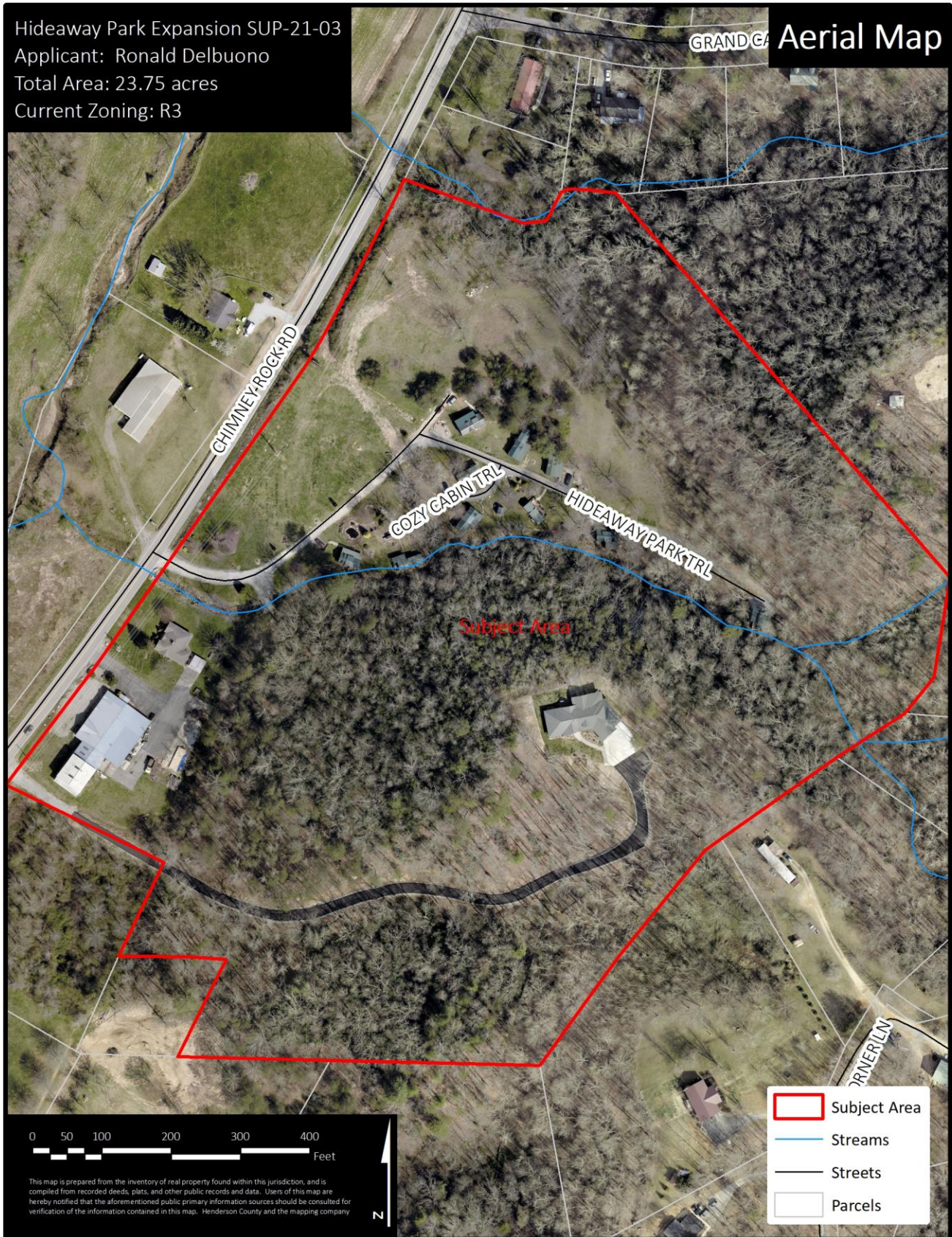
**Map A: County Context Map**



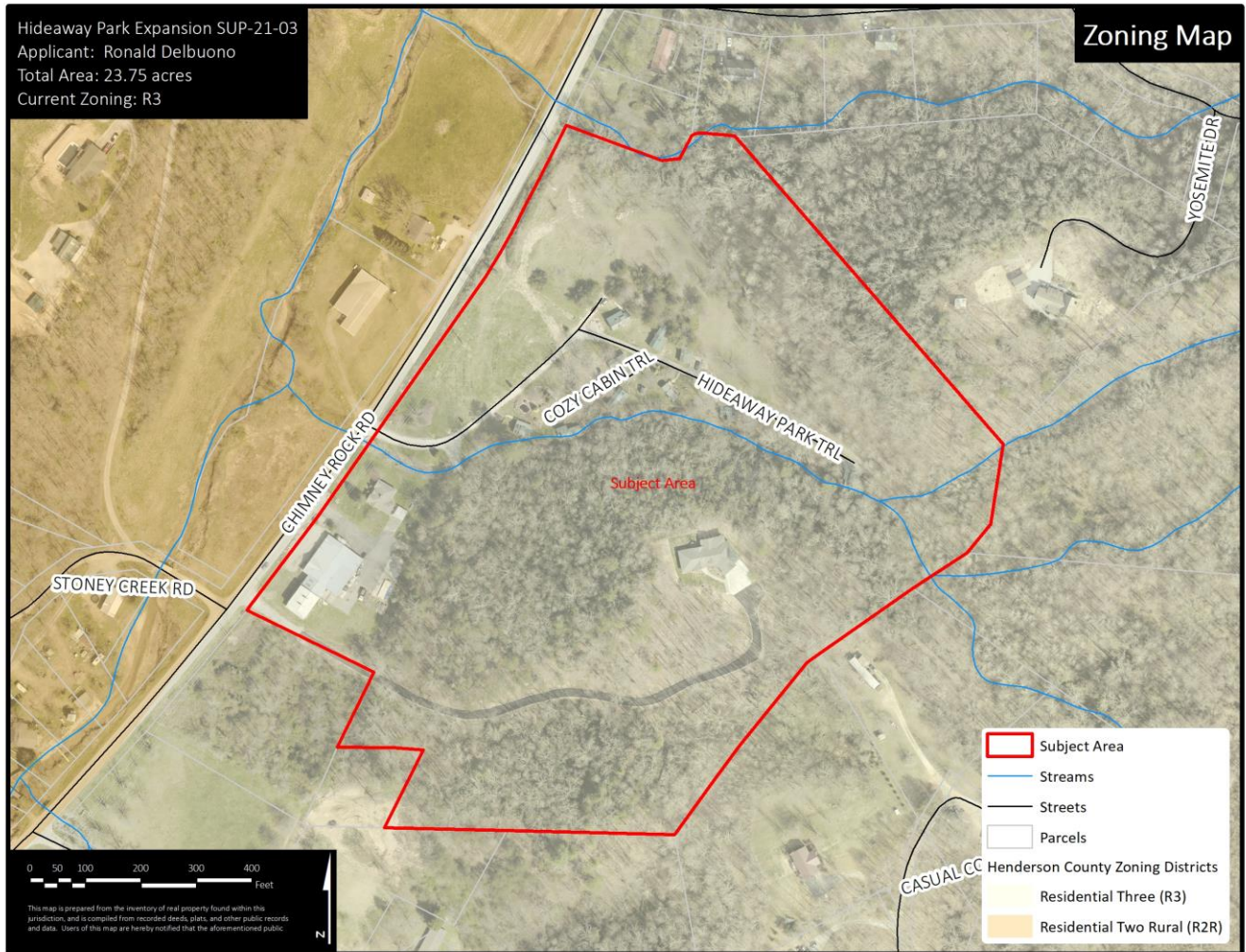
**2. Current Conditions**

- 2.1. **Current Use:** The subject area is currently used as an RV park with 15 available RV spaces. The current RV park is classified as legal nonconforming since it originated prior to the adoption of the Land Development Code. Park models currently reside in 11 of the 15 total available spaces. Existing park models utilize 3 septic systems. There are also 2 single family residential stick-built structures on the site and a commercial office structure.
- 2.2. **Adjacent Area Uses:** Adjacent land uses consist of residential, vacant land, and a commercial use across Chimney Rock Road. The Old Orchard major residential subdivision is approximately a ¼ mile away from the subject area.

Map B: Aerial Map

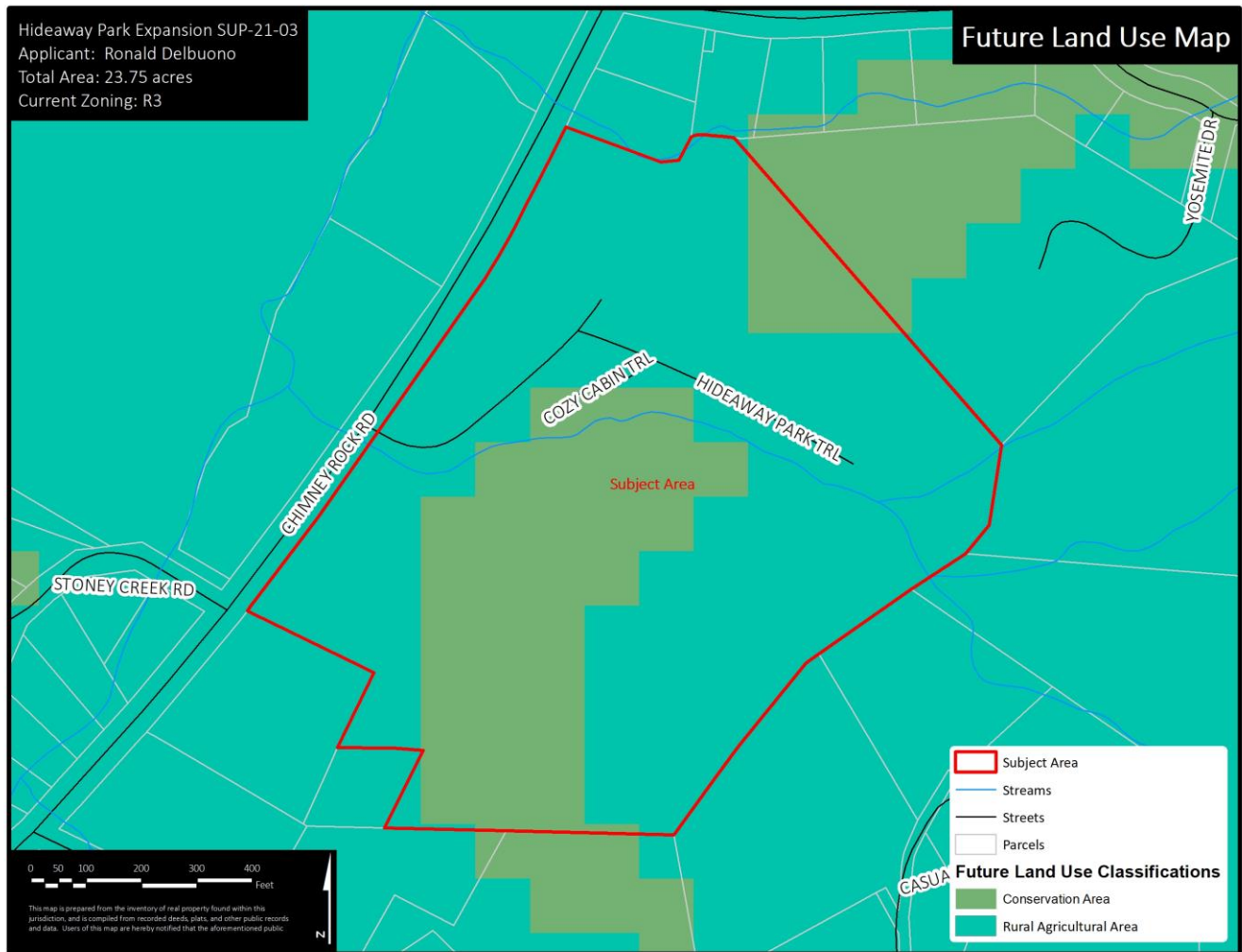


### Map C: Zoning Map



- Zoning:** The subject area is currently zoned Residential Three (R3). The purpose of the R3 zoning district is to foster orderly growth where the principal use of land is low density residential. The subject area is surrounded by Residential Three (R3) to the north, east, and south. The Residential Two Rural (R2R) zoning district is found to the west of the subject area.

**Map D: CCP Future Land Use Map**



**4. Comprehensive Plan**

**Henderson County Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the Subject Area as being located within the Rural Agricultural Area (RAA) Classification.

- a. **Rural Agricultural Area:** “The RAA covers those portions of the county that are predominantly rural and are characterized by low-density residential development with substantial land areas devoted to agriculture and undeveloped lands.”
  - i. Population and residential densities should be considerably lower than that of the USA or the RTA. The suitability of land within these regions of the county should be a principal consideration in determining developmental densities and segregation of incompatible land uses.
  - ii. Most sections of the RAA are so far from sewer services as to make their extension largely impossible. Land development regulations should recognize this by not permitting densities that would require sewer services.

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

**6. Water and Sewer** This property will be served by individual well and a community septic system.

7. **Proposal** The applicant is proposing to add 9 new RV spaces that will house park models. Each space will be approximately 50' by 40' with a parking space and a porch attached to the park model. The major site plan shows the following: proposed gravel road off Hideaway Park Trail to access the new spaces with a T-turnaround, 1 community septic system, and an existing enclosed dumpster for solid waste. The applicant has included the restrictions placed on the existing RV park to be imposed on the new 9 spaces. The proposed total area of disturbance is 11,650sqft.
8. **Staff Recommendations** Staff's position currently, under the guidelines of current plans, policies, and studies, is to approve the Major Site Plan.
9. **Technical Review Committee** The Technical Review Committee will meet on 4/18/2021 to review the major site plan. Any conditions of approval will be forwarded on to the ZBA.
10. **Photos**









HENDERSON COUNTY  
MAJOR SITE PLAN REVIEW APPLICATION

CONTACT INFORMATION

Property Owner:

Name: R. HAP DEL BUONO Phone: 888-243-8100

Complete Address: 4340 Chimney Rock Rd. Hills

Applicant:

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

Complete Address: \_\_\_\_\_

Agent:

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

Complete Address: \_\_\_\_\_

Agent Form (Circle One): Yes No

Plan Preparer:

Name: Amos Glassy Phone: 888-974-1811

Complete Address: \_\_\_\_\_

GENERAL INFORMATION

Date of Application: 3/15/2021

Site Plan Attached (Circle One)  Yes  No Proposed Attached w/ be Replaced by Amos Glassy

PARCEL INFORMATION

PIN: 0612-20-2510

Tract Size (Acres): 2 3/4

Zoning District: R3

Fire District: Edneyville

Supplemental Requirement# 4.15

Watershed: N/A

Permitted by Right \_\_\_\_\_

Floodplain: No

Special Use Permit X

Location / Property to be developed: Simply

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

County Use Only

Fee: \$ \_\_\_\_\_ Paid: \_\_\_\_\_ Method: \_\_\_\_\_ Received by: \_\_\_\_\_

**SIGNATURES OF APPLICANT**

PROPERTY OWNER (APPLICANT)		WITNESS	
COMPANY	X <u>Hideaway Park</u>	NAME	X <u>Linda Del Buono</u>
SIGNATURE	<u>[Signature]</u>	SIGNATURE	<u>[Signature]</u>
ADDRESS	X <u>4340 Rte 69</u> Phone No. X <u>243-8100</u>	ADDRESS	X <u>4340 Chimney Rock Road</u> * <u>Hendersonville, NC 28792</u>

AUTHORIZED AGENT		WITNESS	
COMPANY	_____	NAME	_____
SIGNATURE	_____	SIGNATURE	_____
ADDRESS	_____	ADDRESS	_____
	Phone No. _____		_____

**APPROVALS**

APPLICATION RECEIVED BY DISTRICT ENGINEER

\_\_\_\_\_

**SIGNATURE** **DATE**

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

\_\_\_\_\_

**SIGNATURE** **TITLE** **DATE**

APPLICATION APPROVED BY DISTRICT ENGINEER

\_\_\_\_\_

**SIGNATURE** **DATE**

INSPECTION BY NCDOT

\_\_\_\_\_

**SIGNATURE** **TITLE** **DATE**

COMMENTS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**HENDERSON COUNTY  
SPECIAL USE PERMIT APPLICATION FORM**

**GENERAL INFORMATION**

Date of Application: 3/15/2021

Previously Submitted (Circle One): Yes  No

Date of Pre-Application Conference: 3/10/21

Site Plan Attached (Circle One): Yes  No  # replacement wks provided by Amos Glassby

Traffic Impact Study Required (Circle One): Yes  No

**SPECIAL USE PERMIT INFORMATION**

Type of use to be permitted: RV Park Models SR #: 4.15

Existing Structures or Uses on property: Current residences

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: 0612-20-2510 Deed Book/Page: 899/4 Tract Size (Acres): 23.75

Zoning District: R3 Fire District: Edneyville Watershed: N/A Floodplain: \_\_\_\_\_

Location of property to be developed: 4340 Chimney Rock Rd

**CONTACT INFORMATION**

**Property Owner:**

Name: R. HAP DEL BUONO Phone: 243-8100

Address: 4340 Chimney Rock Rd City, State, and Zip: Hillsboro NC 28792

**Applicant:**

Name: R. HAP DEL BUONO Phone: 878-243-8100

- 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.

N/A

- 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.

Nothing in topography w/ change

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).

Simply Adding

- b. Off-street parking and loading areas.

N/A

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

provided by Duke. Already in place

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

See existing park web site Happy Hideaway NC. com

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

N/A RV Park Models

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

Rafael Del Buono  
Print Applicant (Owner or Agent)

[Signature]  
Signature Applicant (Owner or Agent)

3/15/2021  
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: \_\_\_\_\_

## **Proposed Deed restrictions for Hideaway Park**

- 1) All residences must conform to NC codes for RV Park Models and in the same style/design; green metal roofing, wood grain siding or log siding only in earth tone colors such as Cedar/Mahogany/Redwood.
- 2) Use of common areas and walkways or trails is permitted by HP residents and their guests only.
- 3) No business or commercial enterprise, retail/service/professional/internet related to be conducted anywhere within park, other than one office for park management.
- 4) No sheds, storage facilities/containers or buildings other than for Park's well house.
- 5) Will remain a 55+, no children RV Park Model retirement community.
- 6) NO firearms or weapons of any kind are permitted on or within the site. NO hunting, trapping, or stalking of any animal, bird or reptile.
- 7) Number of residential units limited to twenty-three (23).
- 8) No tree over 6" diameter will be removed unless diseased, dead or determined to be dangerous to any resident.
- 9) Every RV Park Model must always adhere to federal, state and county regulations and building codes.
- 10) No trailers, boats, storage units will be permitted to be brought, constructed or stored. No resident or guest may drive ATVs, motorbikes, dirt bikes or any off road vehicles.
- 11) Pets limited to cats and dogs.
- 12) No alterations or changes will be made in topography, grading or altering of any stream. Grading will be permitted for road, turnaround and cabin set-ups .
- 13) No individual rental cabins to exceed 42 nightly stays within any twelve (12) month period.
- 14) Residents are not allowed outdoor fireplace/pits or open fires at anytime.
- 15) All open brush fires must be permitted by local fire department and must be attended by adult.
- 16) No illuminated signs or displays between 9:00pm -7:00am.
- 17) Current walking trails must remain as they are at time of closing.

**NOTES**

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM #3710061200J, DATED 10/02/2008.

SURVEYOR WAS NOT PROVIDED WITH A LEGAL TITLE SEARCH. THERE MAY EXIST EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS PERTINENT TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE THAT ARE NOT SHOWN ON THIS SURVEY.

NO UNDERGROUND UTILITIES WERE LOCATED. CALL 1-800-632-4949 BEFORE DIGGING.

ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR CONSIDERED AS PART OF THIS SURVEY.

NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS, OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

AREA BY COORDINATE COMPUTATION.

PROPERTY LINES SHOWN AS DASHED WERE NOT FIELD SURVEYED. THEY WERE PLOTTED FROM RECORD DOCUMENTS.

SUBJECT PROPERTY CURRENTLY ZONED R3 BY HENDERSON COUNTY.  
SETBACKS: FRONT (LOCAL) - 15' REAR & SIDE - 15'

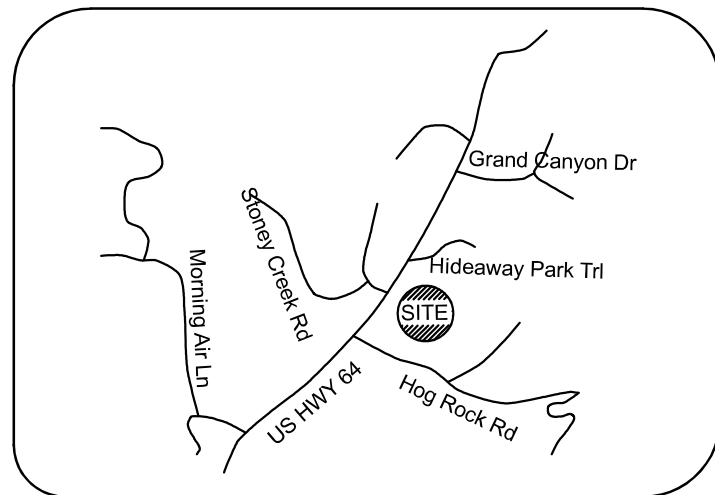
ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

INTENT STATEMENT: THIS PLAT IS TO PROVIDE A SITE PLAN FOR FUTURE DEVELOPMENT OF 4340 CHIMNEY ROCK ROAD.

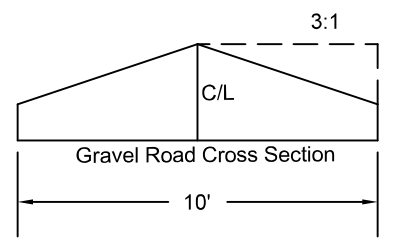
THE SITES SHOWN HEREIN ARE PROPOSED ONLY, UNLESS OTHERWISE NOTED.

THIS IS NOT A BOUNDARY SURVEY.

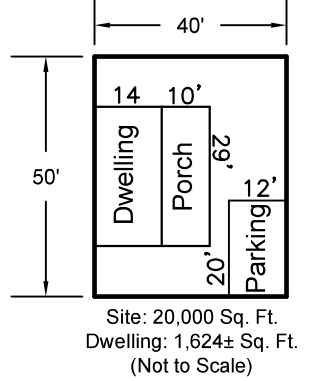
PROJECT DENSITY: PROPOSED NINE (9) NEW UNITS, SHOWN HEREIN.



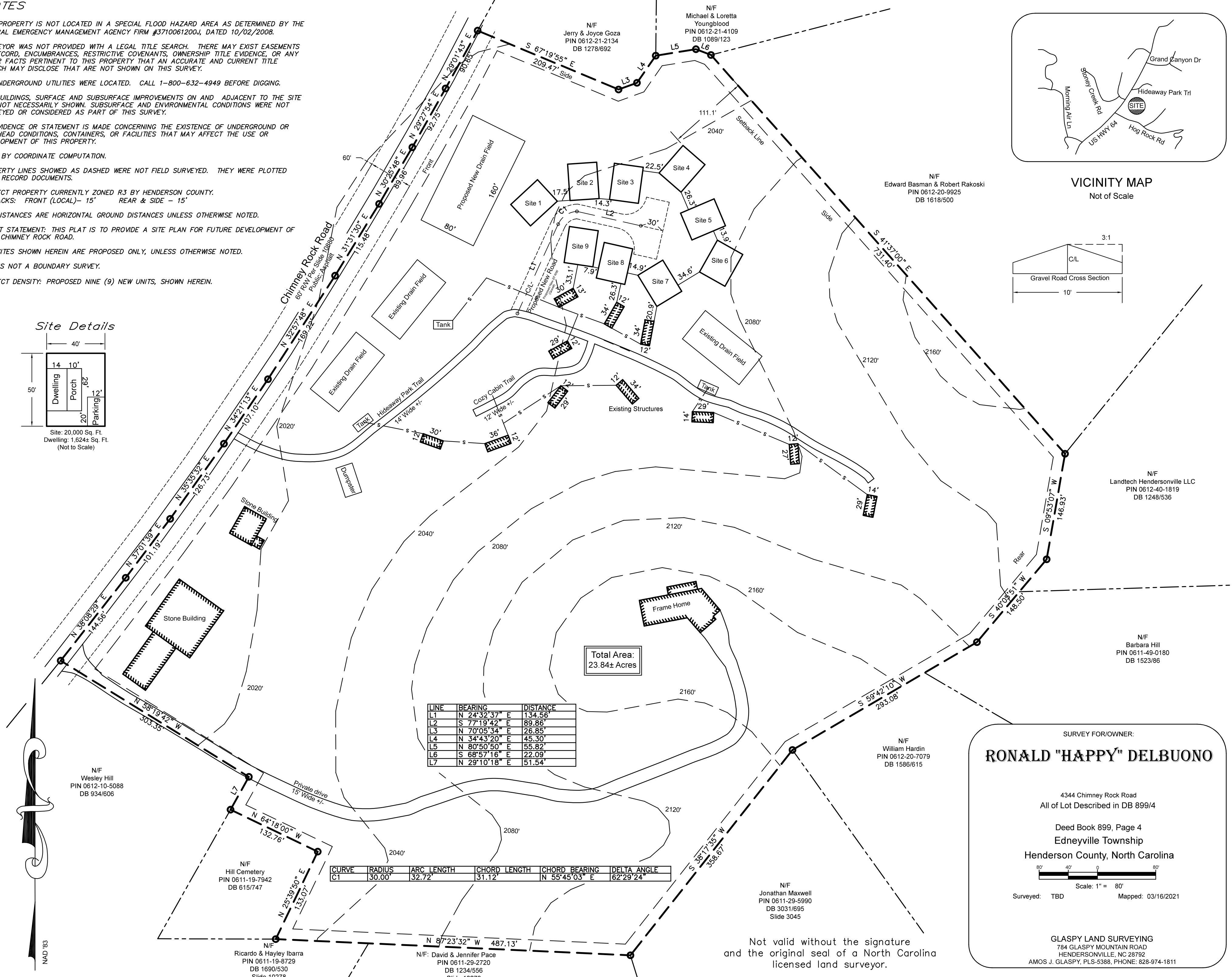
**VICINITY MAP**  
Not of Scale



**Site Details**



CLIENT: Ronald DelBuono  
FILE CODE: HEN000000  
NAD '83



Total Area:  
23.84± Acres

LINE	BEARING	DISTANCE
L1	N 24°32'37" E	134.56'
L2	S 77°19'42" E	89.86'
L3	N 70°05'34" E	26.85'
L4	N 34°43'20" E	45.30'
L5	N 80°50'50" E	55.82'
L6	S 68°57'16" E	22.09'
L7	N 29°10'18" E	51.54'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	30.00'	32.72'	31.12'	N 55°45'03" E	62°29'24"

SURVEY FOR/OWNER:  
**RONALD "HAPPY" DELBUONO**

4344 Chimney Rock Road  
All of Lot Described in DB 899/4

Deed Book 899, Page 4  
Edneyville Township  
Henderson County, North Carolina

Scale: 1" = 80'

Surveyed: TBD      Mapped: 03/16/2021

GLASPY LAND SURVEYING  
784 GLASPY MOUNTAIN ROAD  
HENDERSONVILLE, NC 28792  
AMOS J. GLASPY, PLS-5388, PHONE: 828-974-1811

Not valid without the signature and the original seal of a North Carolina licensed land surveyor.

TAX PARCEL: 0612-20-2510