

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
ZONING BOARD OF ADJUSTMENT

MEETING: TRC 12-7-21 & ZBA 12-29-21

SUBJECT: **SUP-21-08**

PRESENTER: **Matt Champion**

ATTACHMENTS: **Staff Report**

SUMMARY OF REQUEST: **Sign and Special Use Permit Application**

SUGGESTED MOTION:

I move to approve/deny SUP-21-08 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

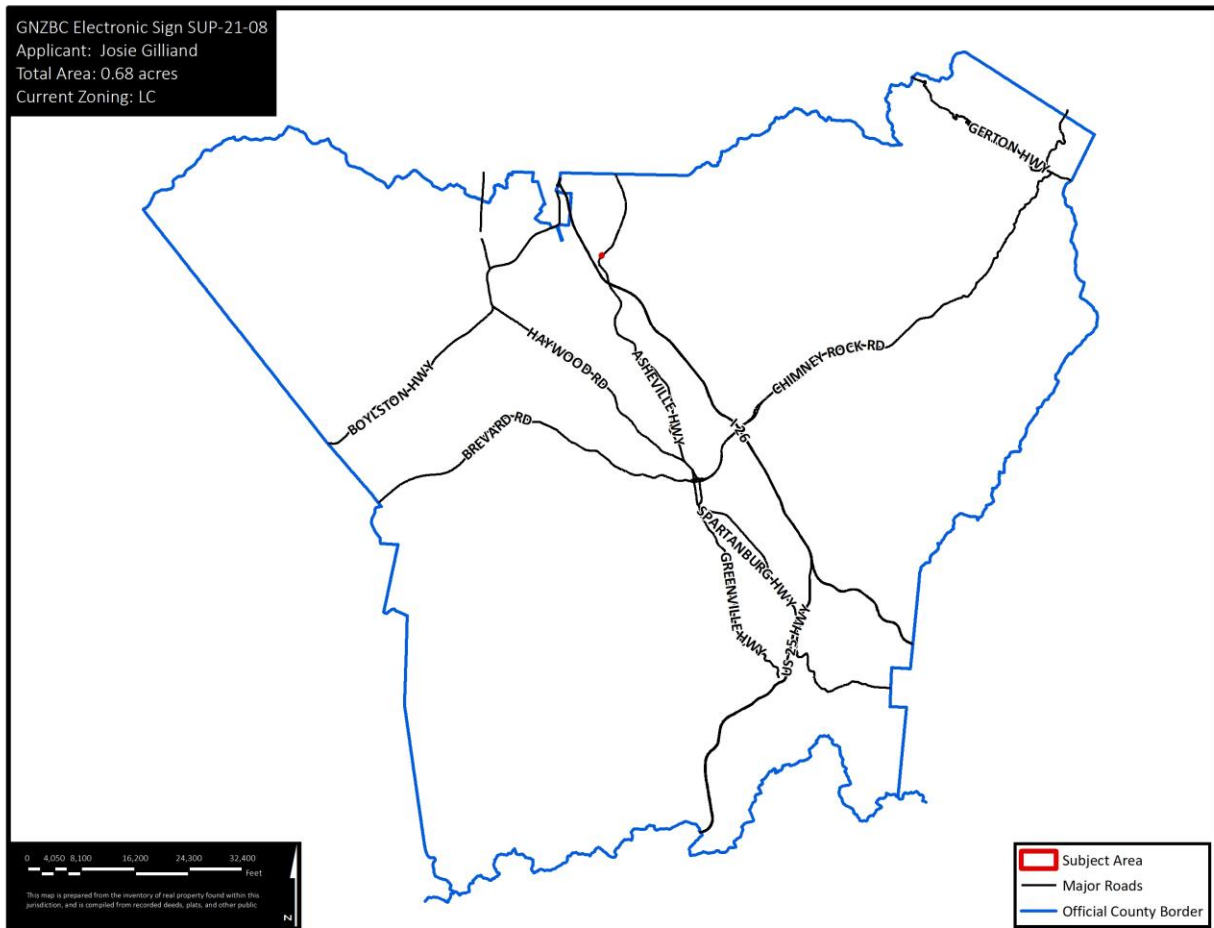
- 1.1. **Applicant:** Greater New Zion Baptist Church
- 1.2. **Request:** Special Use Permit SUP-21-08
- 1.3. **PIN:** 9652-32-4878 & 9652-32-5982
- 1.4. **Size:** 0.68 acres +/-
- 1.5. **Location:** 38 Talley Drive
- 1.6. **Supplemental Requirements:**

§42-220. Residential and Local Commercial Zoning Districts

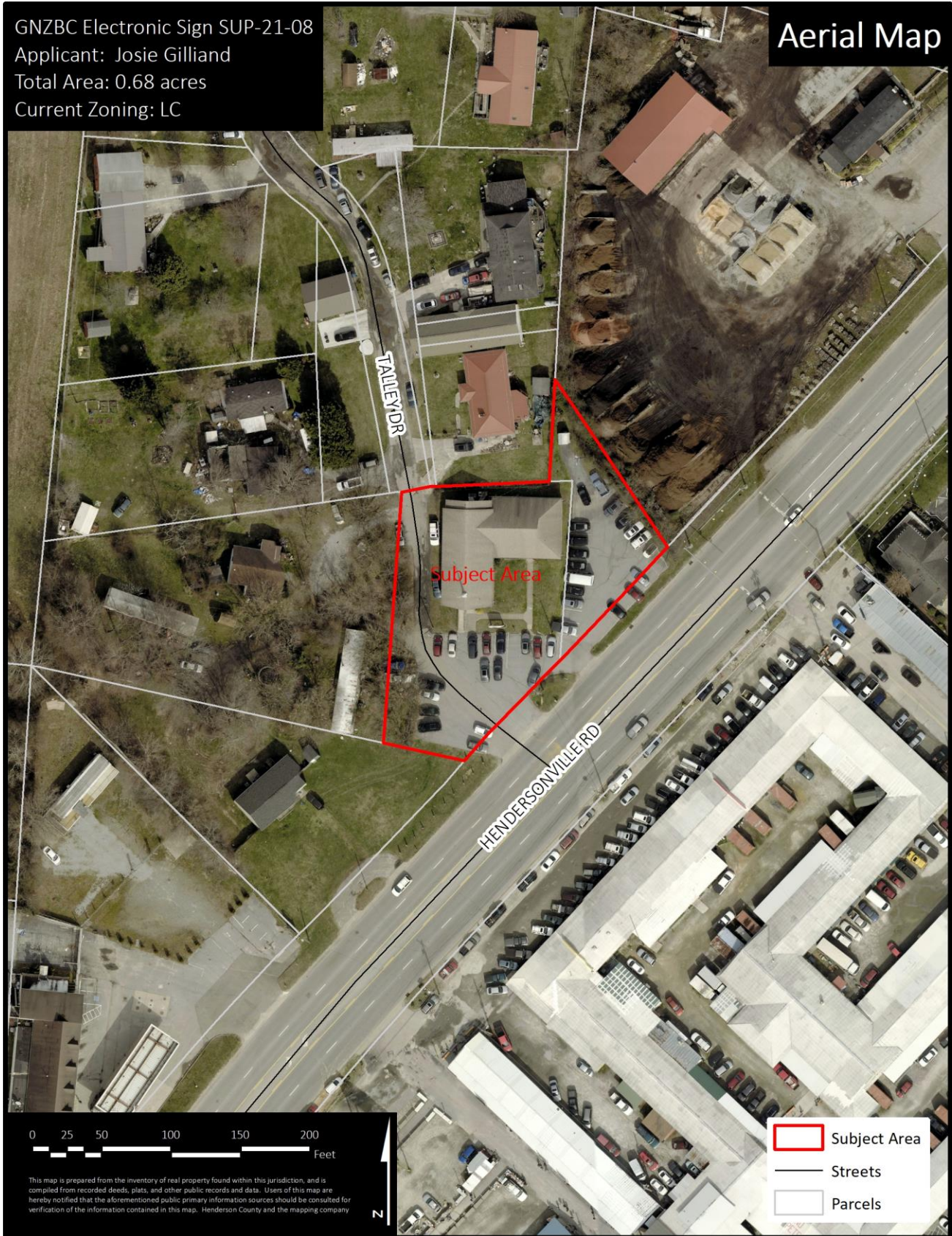
C. Prohibited Signs. *Portable, animated and flashing signs* are prohibited.

D. Electronic Message Signs. *Electronic message signs* are allowed with a special use permit in the residential and local commercial zoning districts.

Map A: County Context Map



Map B: Aerial Map

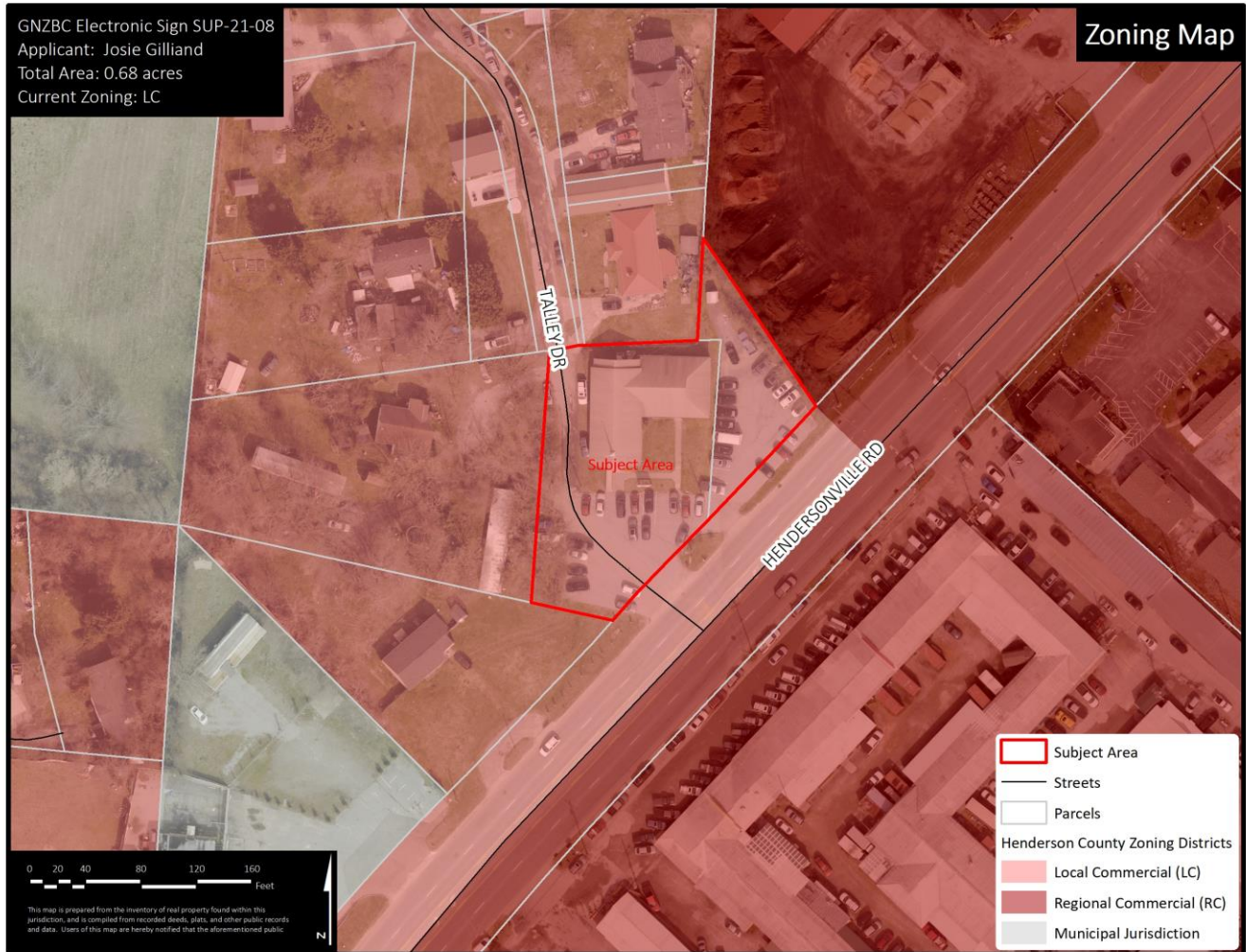


2. Current Conditions

Current Use: The subject area is currently a church. The existing sign is slated to be removed from the property.

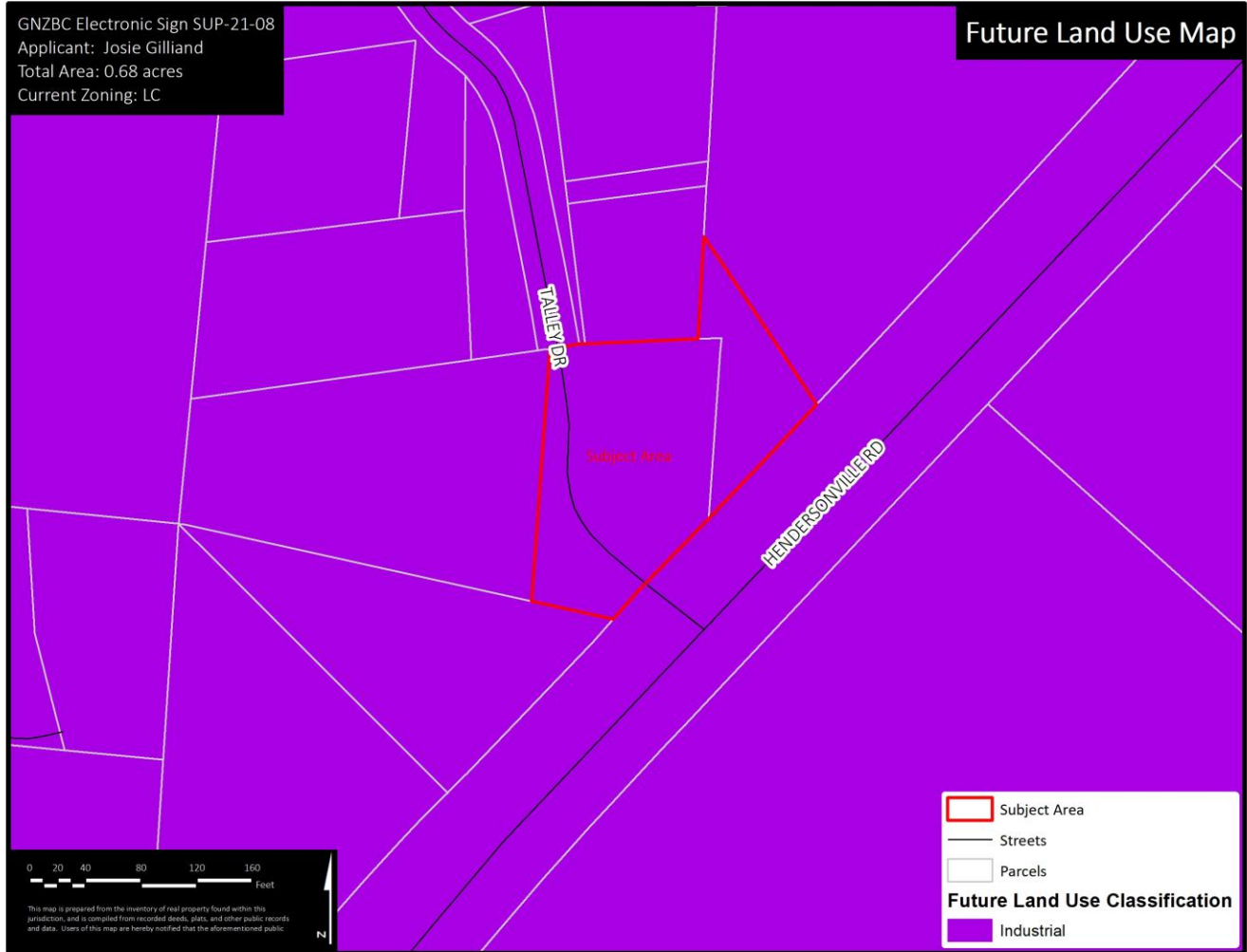
Adjacent Area Uses: There are residential and commercial land uses surrounding the subject area.

Map C: Zoning Map



3. Zoning: The subject area is currently zoned Local Commercial (LC). The purpose of the LC zoning district is to foster orderly growth where the principal use of land is commercial and residential. The intent of this district is to allow for commercial development consistent with the recommendations of the Comprehensive Plan. The subject area is adjacent to Local Commercial (LC) to the north, west, and southwest. Regional Commercial (RC) is found to the southeast and east of the subject area.

Map D: CCP Future Land Use Map



4. Comprehensive Plan

Henderson County Comprehensive Plan (CCP): The CCP Future Land Use Map places the Subject Area in the Industrial Area classification over the Urban Services Area.

- a. **Industrial Area:** “Most defined industrial areas should lie within the Urban Services area. Most industrial uses should be segregated from other uses with the exception of Regional Commercial Uses.” (CCP, Pg. 140)
- b. **Urban Services Area:** “The USA will contain virtually all existing and future industrial development and will be the focus of future economic development activities. Industrial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community.” (CCP, Pg. 133)

5. **Floodplain /Watershed Protection** The property is not located within a flood hazard area or a Water Supply Watershed district.

6. **Water and Sewer** This property is served by City of Hendersonville public water and MSD public sewer.

7. **Proposal** There is currently one existing monument sign on the subject area. The proposal is to remove the existing monument signs located near the entrance to the church and replace with an electronic messaging sign. The proposed sign is freestanding, double sided, and approximately 8'6" tall with a 6' wide by 5' tall cabinet.
8. **Staff Recommendations** Staff's position currently, under the guidelines of current plans, policies and studies, is to forward the Special Use Permit to the ZBA.
9. **Technical Review Committee** The Technical Review Committee met on 12/7/2021 and voted to forward the special use permit to the ZBA with the following conditions: obtain a valid electrical permit, locate all buried utilities prior to installation, and ensure the sign is outside of NCDOT's right-of-way.
10. **Photographs**



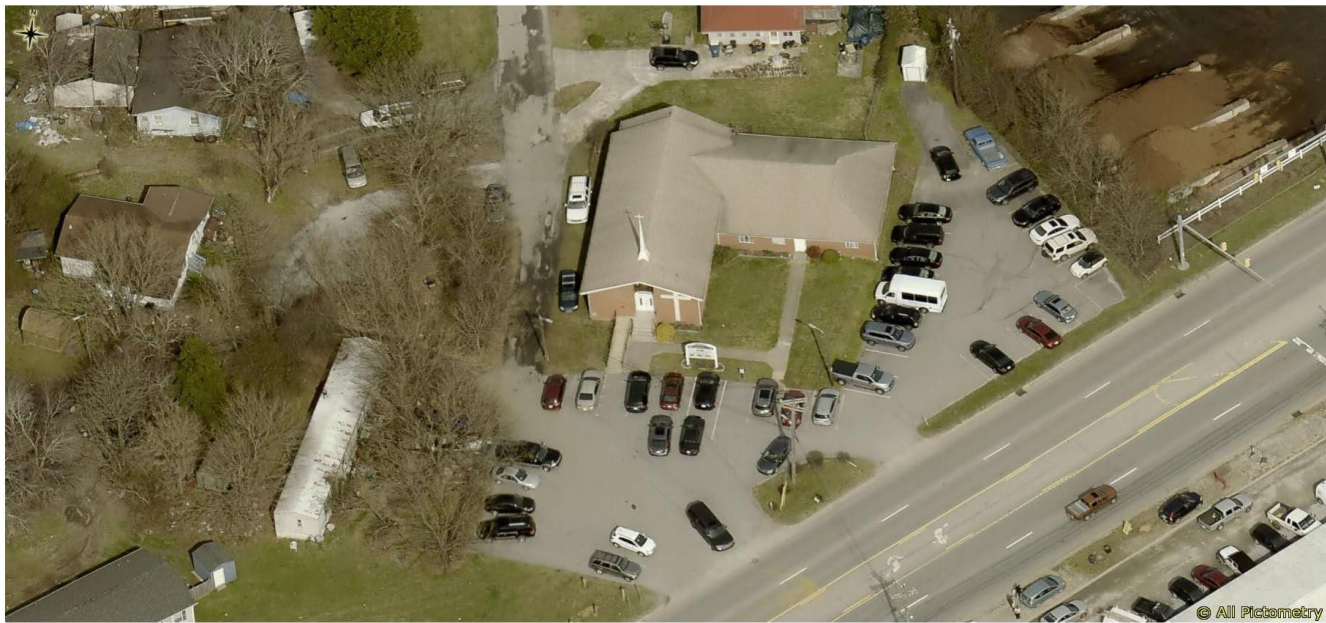
View from North



View from East



View from South



View from West



**HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

GENERAL INFORMATION

Date of Application: 11 | 24 | 21

Previously Submitted (Circle One): Yes No

Date of Pre-Application Conference: 11/16/2021

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: Electronic Messaging Sign SR #: N/A

Existing Structures or Uses on property: Church with Existing Sign

Road System (Circle): Public Private N/A

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: 9652-32-4878 & 9652-32-5982 Deed Book/Page: 1456/115 Tract Size (Acres): 0.68

Zoning District: LC Fire District: Fletcher Fire Watershed: N/A Floodplain: Zone X

Location of property to be developed: 38 Talley Dr off of Hendersonville Rd

CONTACT INFORMATION

Property Owner:

Name: Greater New Zion Baptist Church Phone: _____

Address: 38 Talley Dr City, State, and Zip: Fletcher, NC 28732

Applicant:

Name: Josie Gilliland Phone: 828-777-3431

Address: 33 Town Square Blvd

City, State, and Zip: Asheville, NC 28803

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 sign will be installed professionally and inspected by the Henderson County Inspection Department.

Blank lines for response to requirement A.

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

The new LED should not in anyway injure the value of any property in the area. The sign will be an upgrade to the current sign.

Blank lines for response to requirement B.

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

The new sign will be in harmony with the surrounding area because it will be located along Boulevard that is surrounded by commercial uses.

Blank lines for response to requirement C.

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.

The new sign and installers will obtain all applicable permits and inspections required by the Henderson County Permit and Inspections Department

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.

The LED sign will meet and exceed the 10' minimum off the road stated in the Henderson County Land Development Code.

Blank lines for response to specific requirements.

- 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.

All work will be contained to the sign only. No asphalt cutting or any other noisy, dusty, or glare creating situations will be required to complete this job.

- 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.

The new LED sign will require minimal site work therefore, runoff will not be an issue.

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 work on the LED sign will be contained to the existing church site. The work will not hinder automotive or pedestrian traffic flow on Hendersonville Rd.

- b. Off-street parking and loading areas.

Work will be completed during the day and not on weekends when the site has minimal traffic.

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

All working area will be located by 811.

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

The new sign will be at the existing sign location, which has been there for multiple years.

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

The LED sign dimensions will be 6' by 5' and 8'6" above finish grade.

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

Josie E Gilliam

Print Applicant (Owner or Agent)

Signature Applicant (Owner or Agent)



11/24/21
Date

County Use Only

Fee: \$ N/A Paid: N/A Method: N/A Received by: Matt Champion

Authority to grant the requested permit is contained in the Land Development Code, Sections: 42-220 - ZBA

Community Planning Area: North-Central



OFFICE USE

Complete & Received Date: 10/29/2021 Clyde Application/ Permit # _____
 Application Approved Date: _____

Completed application, checklist, site plan, elevation drawings and fees are required at the time of submittal; failure to provide this information will delay the processing of this application

1 SITE LOCATION & DESCRIPTION

Name of Business or Organization Requesting Sign Permit Greater New Zion Baptist Church
 Site Address: 38 Talley Drive PIN #: _____
 Zoning District W
 Tenancy: Single Church Multi-Tenant
 Variance applied Yes / No (circle one) Date: _____

2 SIGN TYPE

Temporary Start Date _____ End Date _____
 Square footage _____
 Height _____
*If the sign is over 6 feet in height, engineered sealed drawings are required.
 If only applying for a temporary sign, skip to box #5.*

Permanent Single-Face Double-Face
 Freestanding Attached LED Other _____
 Illuminated? Yes No
 Encroachment agreement required? Yes No
 If yes, submit Insurance Fee Encroachment documents
If the sign is over 6 feet in height, engineered sealed drawings are required.

3a SIGN DETAILS AND MEASUREMENTS

New Alteration Face Change*
 Describe your project.
install new sign

*Face change – the removal and replacement of an individual plastic panel from an existing sign (usually multi-tenant). A face change does not require the replacement or modification of the sign frame, structure, or electrical components.

3b SIGN DETAILS AND MEASUREMENTS (cont.)

SIGN 1		SIGN 2		SIGN 3		SIGN 4	
Sign Type	<i>freestanding</i>	Sign Type		Sign Type		Sign Type	
# of Faces	<i>2 (1 side)</i>	# of Faces		# of Faces		# of Faces	
Horizontal Dimension	<i>4</i> FT	Horizontal Dimension		Horizontal Dimension	FT	Horizontal Dimension	FT
Vertical Dimension	<i>5</i> FT	Vertical Dimension		Vertical Dimension	FT	Vertical Dimension	FT
Total Square Footage	<i>30</i> SF	Total Square Footage		Total Square Footage	SF	Total Square Footage	SF
Store Frontage (multi-tenant attached units)		Store Frontage (multi-tenant attached units)		Store Frontage (multi-tenant attached units)	FT	Store Frontage (multi-tenant attached units)	FT
Total Height Above Grade	<i>8'6"</i> FT	Total Height Above Grade		Total Height Above Grade	FT	Total Height Above Grade	FT
Setback or projection (if required)	<i>10' off ROW</i> FT	Setback or projection (if required)		Setback or projection (if required)	FT	Setback or projection (if required)	FT

#4 PERMITS REQUESTED

Permit Request	Contractor Name	Privilege License #	State License #	Cost of Work	Permit Fees
<input checked="" type="checkbox"/> Sign/Zoning	<i>Coastal Outdoor Services LLC</i>			<i>\$3500.00</i>	\$
<input type="checkbox"/> Electrical					\$
<input type="checkbox"/> Building (if value > \$30,000)					\$
<input type="checkbox"/> Encroachment					\$
<input type="checkbox"/> HRC					\$
Flood					\$
Fire					\$
Total Fee					\$

STATEMENT OF CONFORMITY: As undersigned or authorized agent of the owner, I am applying for all construction specialty permits required to construct the project as described in this application. I agree to do the described work according to the attached plans and specifications and understand that the work is to be done in accordance with the Ordinances of Henderson County or the City of Hendersonville and State of North Carolina laws.

Print Name: *Diane Villanueva* Phone #: *843-576-9521*
 Signature: *[Signature]* Date: *10/19/21*

Notice to applicant: This is the person who will be contacted when the permit is approved.

Office Use Only

Review Notes _____

Google Maps 5288 US-25

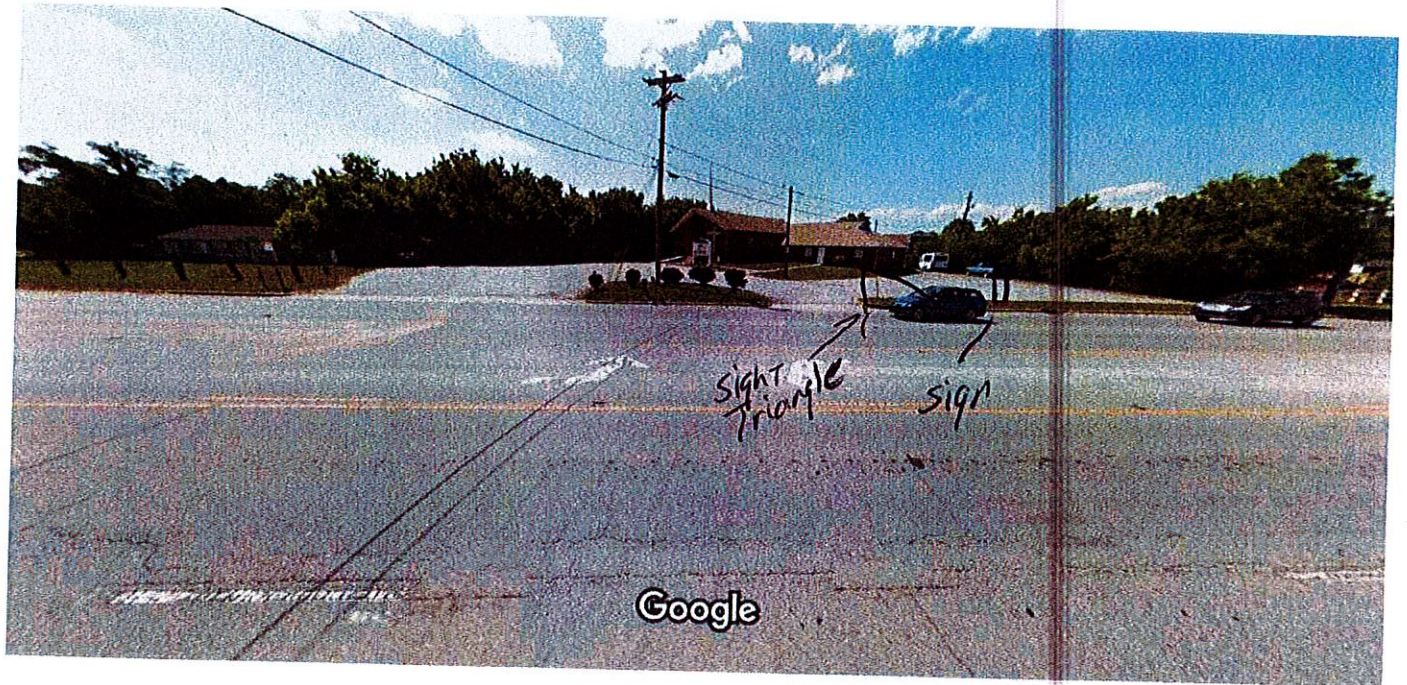


Image capture: May 2019 © 2021 Google

Fletcher, North Carolina

Google

Street View - May 2019

Ryder Tr

Talley
tcher,

's Flea Market

ID Flat Surface Area: 24.125" x 67.875"
 Active LED Area: 25.2" x 63"



Stewart Signs
 ONE SIGN. ONE COMPANY
 1-800-237-3928 stewartsigns.com

TekStar Color 10mm 64x160
 Cabinet Size: 5' x 6'
 Sk: 973951-4a-s Cust: 2011408
 8/27/2021 F/cMiller SOLD
 Scale: 5/8"=1' Color(s): Silver Gray
 SIGN DESIGN 288888

Signature _____

Date _____



This custom artwork is not intended to provide an exact match for ink, vinyl, paint, or LED color. Signs are designed for an illuminated graphic and art is based off of this premise. Non-illumination during daylight hours may result in graphics of varying appearance. Backwork and masonry are not included in the proposal with the exception of Cornerstone products. Measurements shown are approximations, final product dimensions may vary. LED images shown are simulated to replicate optimum viewing distance. *Original design, do not duplicate*



973951-4a-s
 Photo real header
 ID Flat Surface Area: 24.125" x 67.875"
 With bleed: 24.625" x 68.375"

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TekStar Color 10mm 64x160
 Cabinet Size: 5' x 6'
 Sk: 973951-4a-s Cust: 2011408
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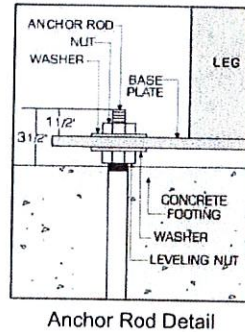
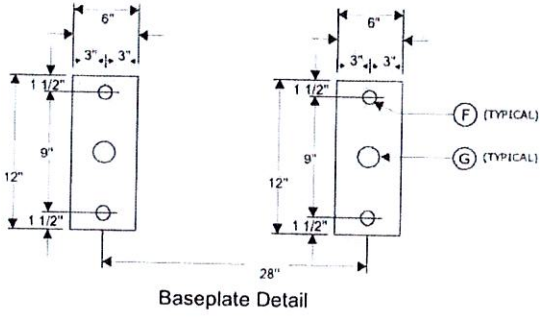
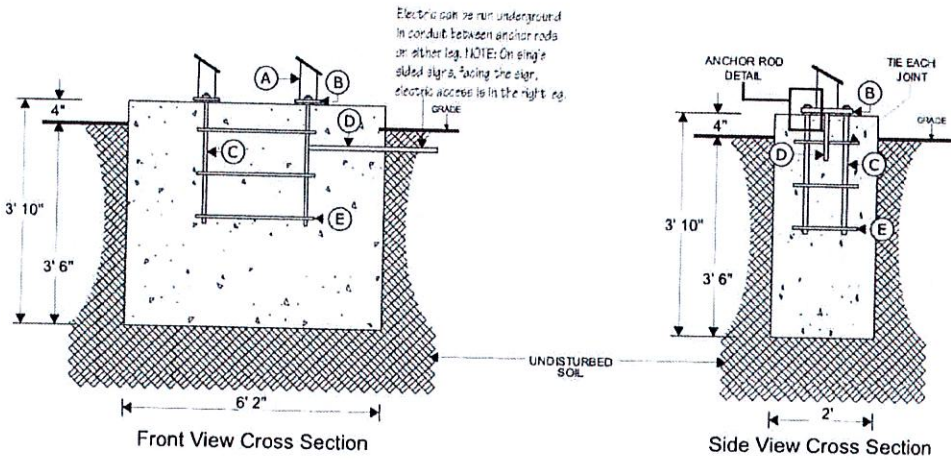
Signature _____

Date _____



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FOOTING SPECIFICATIONS

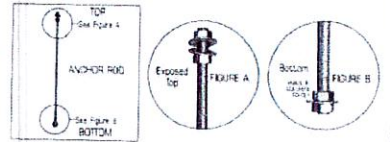


FOOTER DETAIL

- A. Sign legs
- B. Base plates
- C. 3/4" x 30" anchor rods, 4 required. Tape anchor rod threads for protection against sand.
- D. Electrical conduit (supplied by customer)
- E. #5 rebar or better, tied at each joint (supplied by customer)
- F. 1 1/4" diameter anchor bolt holes
- G. 2" diameter electrical hole

NOTES

- * 3,000 psi concrete: less than 1.75 cubic yards needed
- * Windload: design meets or exceeds 120 mph Exposure B



CONTACT

Brad Schmid
1-888-237-3928, x2040
bradschmid@stewartsigns.com

CUSTOMER INFORMATION

GREATER NEW ZION BAPTIST CHURCH
38 Talley Drive
FLETCHER, NC 28732 0746
Customer #2011408
Order #980568-4

SIGN SPECIFICATIONS

Sign Model: TekStar (T)
ID Cabinet Size: 5' x 6'
Leg Height: 3' 6"
Leg Width: 2' 8"
Windload: 120 mph Exposure B
On Center Dimension: 28"

SEPARATE STEWART TEMPLATE MUST BE USED TO SET ANCHOR RODS INTO CONCRETE

DRAWING IS NOT TO SCALE



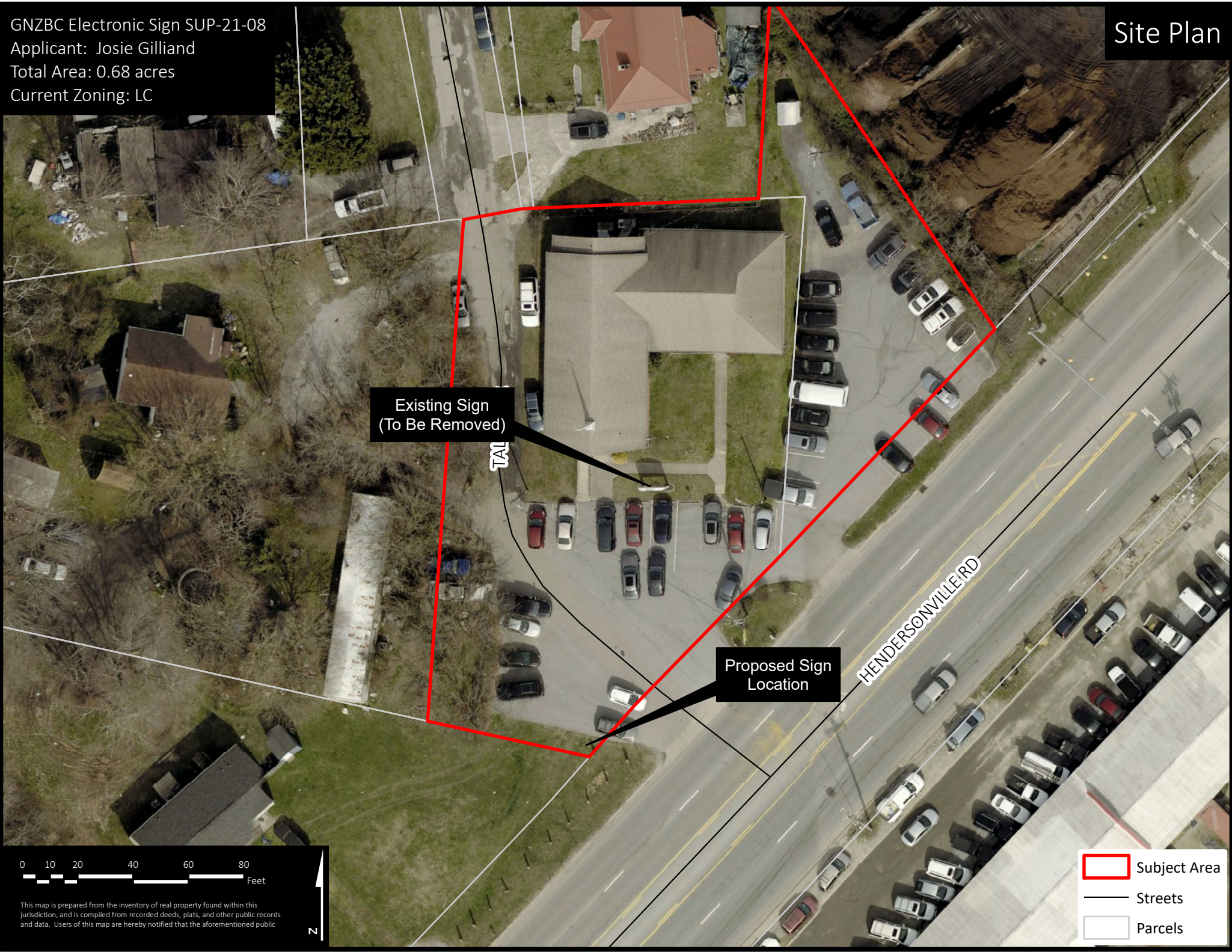
2201 Cantu Ct. Suite 215 Sarasota, FL 34232
1-800-237-3928 www.stewartsigns.com

Page 1 of 1

Drawing Generated 9/1/2021 9:44 AM

GNZBC Electronic Sign SUP-21-08
Applicant: Josie Gilliland
Total Area: 0.68 acres
Current Zoning: LC

Site Plan

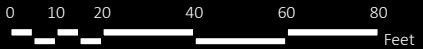


Existing Sign
(To Be Removed)




Proposed Sign
Location

TAI

HENDERSONVILLE RD



This map is prepared from the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public

-  Subject Area
-  Streets
-  Parcels