REQUEST FOR BOARD ACTION HENDERSON COUNTY Zoning Board of Adjustment

MEETING DATE: May 25th and June 29th ZBA

SUBJECT: Special Use Permit Amendment for a Recreational Vehicle Park

PRESENTER: Matt Champion, Zoning Administrator

ATTACHMENTS:

- 1. Staff Report
- 2. Photographs
- 3. Site Plan & Application

SUMMARY OF REQUEST:

Special Use Permit Amendment and Major Site Plan for an Existing Recreational Vehicle park.

Suggested Motion:

I move to approve/deny SUP-18-01 Amendment 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. Board Request

- 1.1. Applicant: Simple Life-Hamlet, LLLP
- 1.2. Request: Recreational Vehicle Park Special Use Permit Amendment
- 1.3. **PIN:** 9588-81-1468, 9588-71-6789, 9588-71-7733, & 9588-71-8783
- 1.4. Size: 25.15 acres +/-
- 1.5. Location: The subject area is located of S Orchard Rd east of the existing Village of Wildflowers.
- 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*.

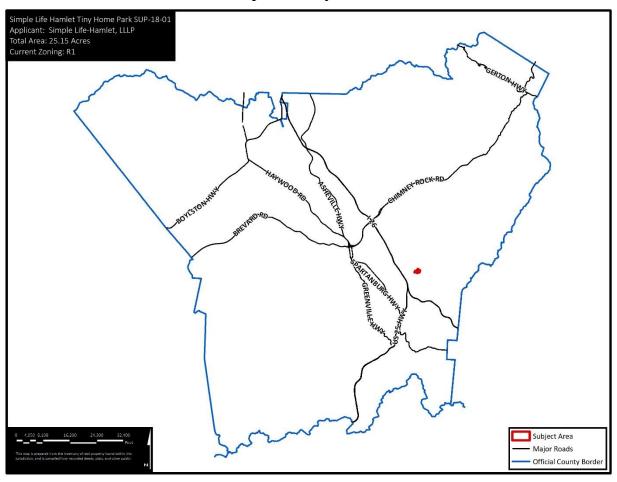
(6) Operations. The *recreational vehicle park*: a. Shall provide rental spaces: 1. For the location of *recreational vehicles*, *park model homes* and/or tent set-up, 2. Which may contain an open or covered porch not exceeding 15 feet in height and not to exceed 400 square feet in area, and 3. Which have no point of direct access not indicated on the *site plan*;

a. May contain *structures* ancillary to the use; b. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs; and c. 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

2. <u>Current Conditions</u>

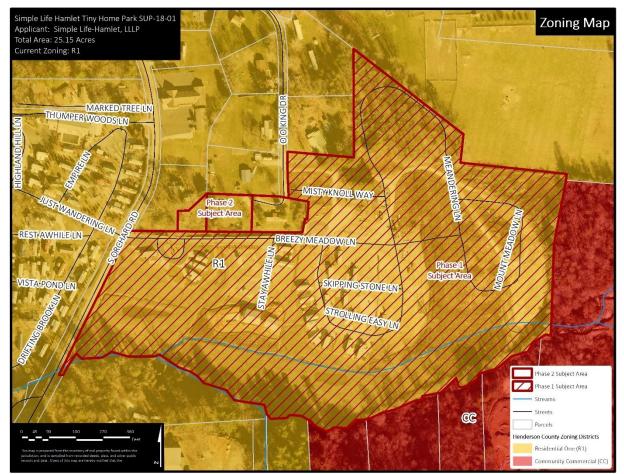
- 2.1. **Current Use:** A portion of the parcels included in this application currently contains an RV Park that was granted a special use permit in 2018, SUP-18-01 Simple Life-Hamlet. The subject area was approved for a total of 134 tiny home spaces with connection to public water and sewer from the City of Hendersonville.
 - **2.1.1.** The major site plan for the original special use permit also included: walking trails for the residents, gated entry to site, amenities including a pool and meeting space, solid waste collection, and a minimum of 2,000SQFT per tiny home space.
- 2.2. Adjacent Area Uses: The surrounding properties consist of residential uses to the north, east, and south. Some commercial uses are also located south of the subject area. To the west of the subject area is the existing Simple Life RV Park that was formerly known as the Village of Wildflowers.

Aerial Map Simple Life Hamlet Tiny Home Park SUP-18-01 Applicant: Simple Life-Hamlet, LLLP Total Area: 25.15 Acres Current Zoning: R1 KA-THUMPER WOODS MISTYKNOLLWAY Rhase 2 Subject/Area BREEZY MEADO Phase 1 STONE LNI Subject Area Phase 2 Subject Area Phase 1 Subject Area Streams Streets Parcels

Map B: Aerial Map

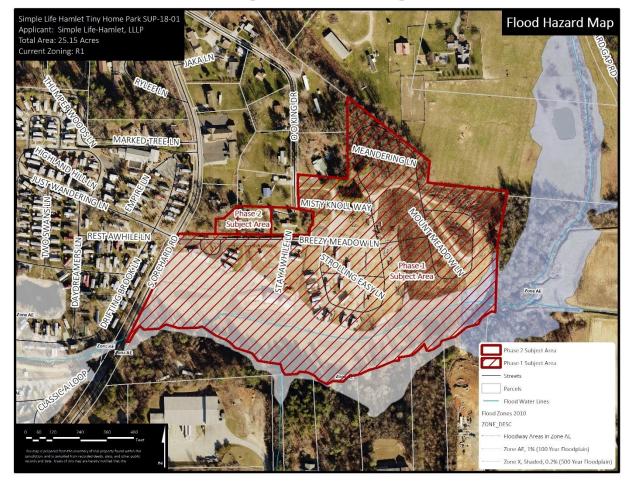
3. Existing Zoning

- 3.1. **Subject Area Zoning:** The subject area is currently zoned Residential One (R1) by Henderson County.
 - **3.1.1. Residential One (R1) Zoning District:** The purpose of the R1 zoning district is "to foster orderly growth where the *principal use* of land is residential. The intent of this district is to allow for medium to high-density *residential development* consistent with the recommendations of the *Comprehensive Plan*. This general *use district* is typically meant to be utilized in areas designated as Urban (USA) in the *Comprehensive Plan*."
- 3.2. **Surrounding Zoning:** Property to the north, west, and southwest is zoned Residential One (R1). Property to the east and southeast is zoned Community Commercial (CC).



Map C: Zoning Map

- 4. <u>Floodplain /Watershed Protection</u> The property is located in a Special Flood Hazard Area and not within a Water Supply Watershed district.
 - 4.1. The existing Simple Life-Hamlet development received a Floodplain Development permit from the Henderson County Floodplain Administrator.

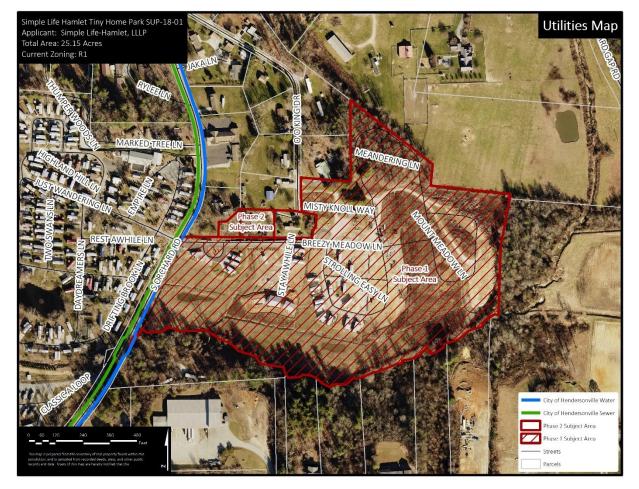


Map D: Flood Hazard Map

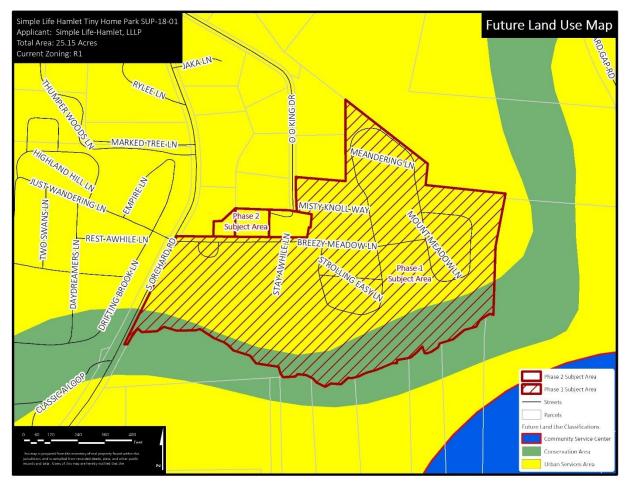
5. <u>Water and Sewer</u> Public water and sewer currently serve the existing Simple Life-Hamlet project. The proposed expansion area is slated to utilize public water and sewer.

Public Water: City of Hendersonville

Public Sewer: City of Hendersonville



Map E: Utilities Map



Map F: CCP Future Land Use Map

6. <u>Staff Comments</u>

- 6.1. **The CCP:** The CCP Future Land Use Map places the Subject Area in the Urban Service Area. The text and map of the CCP suggest that the Subject Area would be more suitable for the following:
 - 6.1.1. The Urban Services Area is that area within which most urban services and urbanscale development is currently concentrated, and within which such development should generally be concentrated through the year 2020.
 - 6.1.2. Growth and development will be proactively managed through extensive planning. Much of the USA falls within municipal planning jurisdictions and will be managed by those jurisdictions. Land use planning for areas falling within the County's jurisdiction should be comparable and compatible in its approach and intensity with planning conducted within the various municipal jurisdictions.

7. <u>Proposal</u>

7.1. The property owner, Simple Life-Hendersonville, LLLP, acquired additional property adjacent to the existing Simple Life-Hamlet project. The additional acreage represents 1.15 acres on three separate parcels. The applicant wishes to amend the existing special use permit, SUP-18-01, to add an additional 10 tiny home spaces for a new total of 144 tiny home spaces. The major site plan incorporates the new calculated totals for the existing development and the proposed expansion subject area. The new tiny home units will be accessed through the existing development and have access to all existing and proposed amenities.

SUP-18-01-Simple Life, The Hamlet Amendment

8. <u>Technical Review Committee</u>

8.1. The TRC reviewed the special use permit amendment during the May 3, 2022, TRC meeting. The TRC moved to forward the special use permit amendment and major site plan to the ZBA with the following conditions: updating and amending the existing erosion and sedimentation control permit and a stormwater permit, amending the existing NCDOT driveway permit, finalize the City of Hendersonville sewer agreement, confirm with City of Hendersonville that sewer flow meter has been installed, and any sewer or water extensions to serve the new units are constructed to NC public utility standards.

9. <u>Photographs</u>

View from East





01/08/2022

View from North



01/08/2022

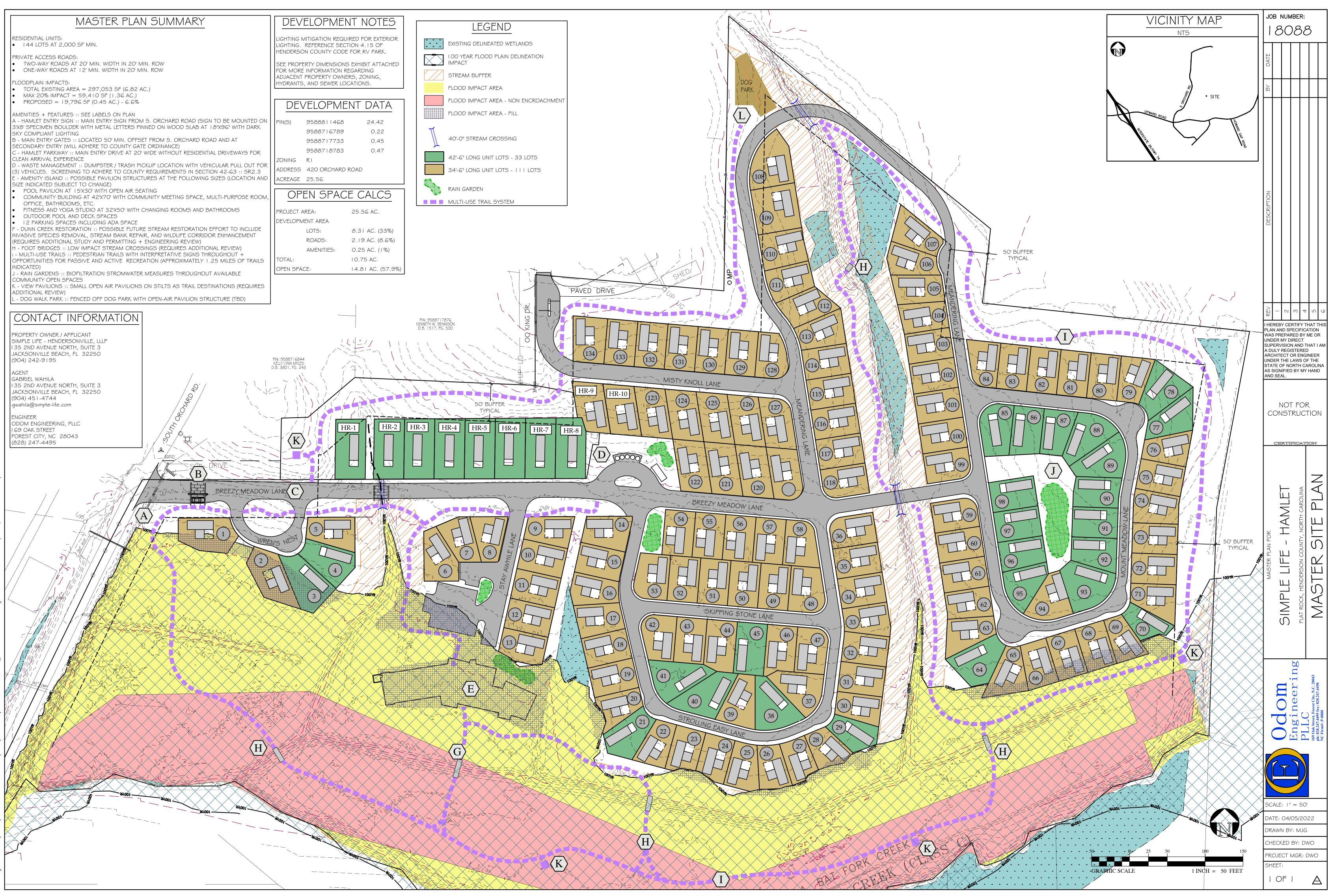
View from South

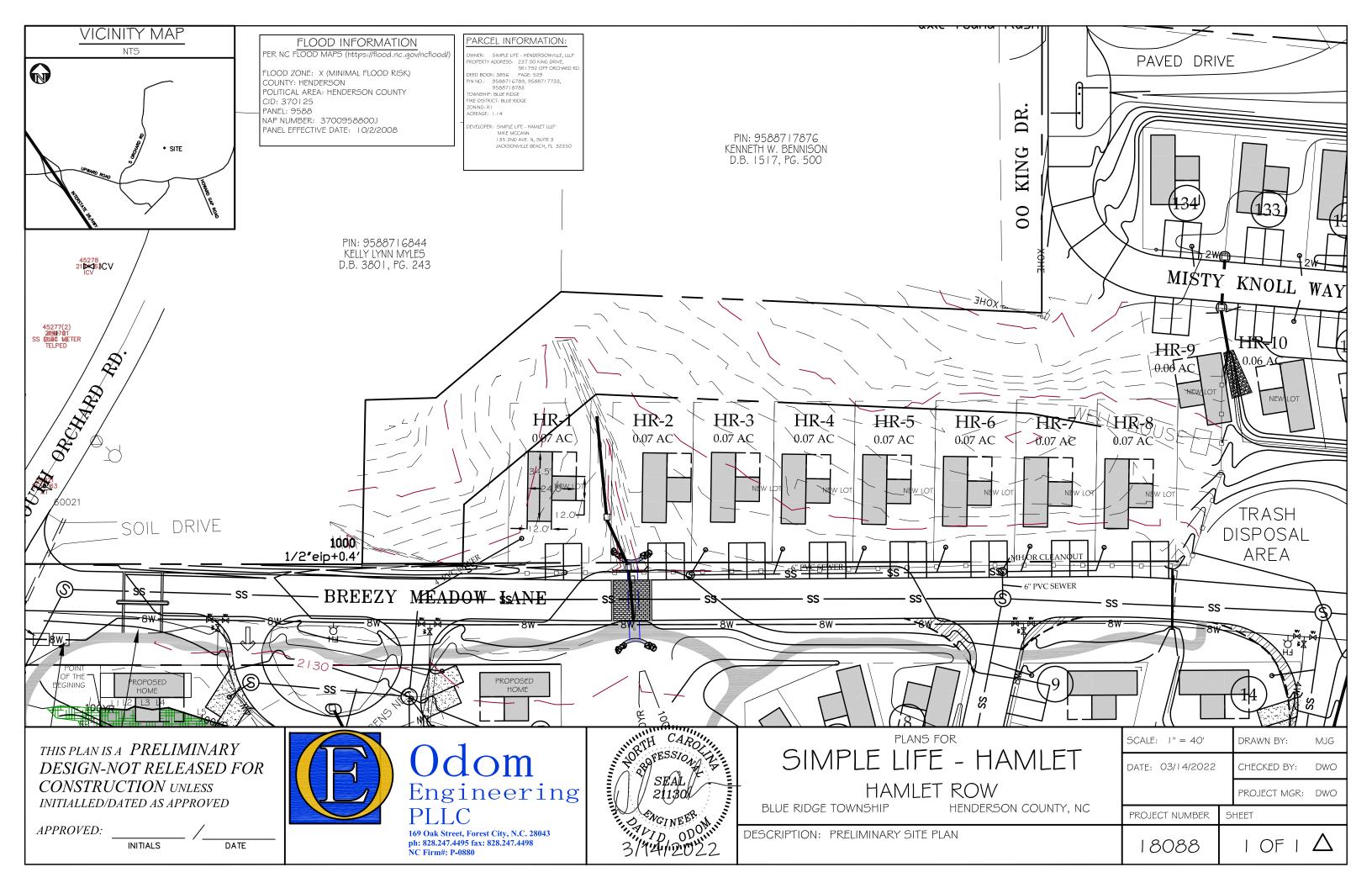


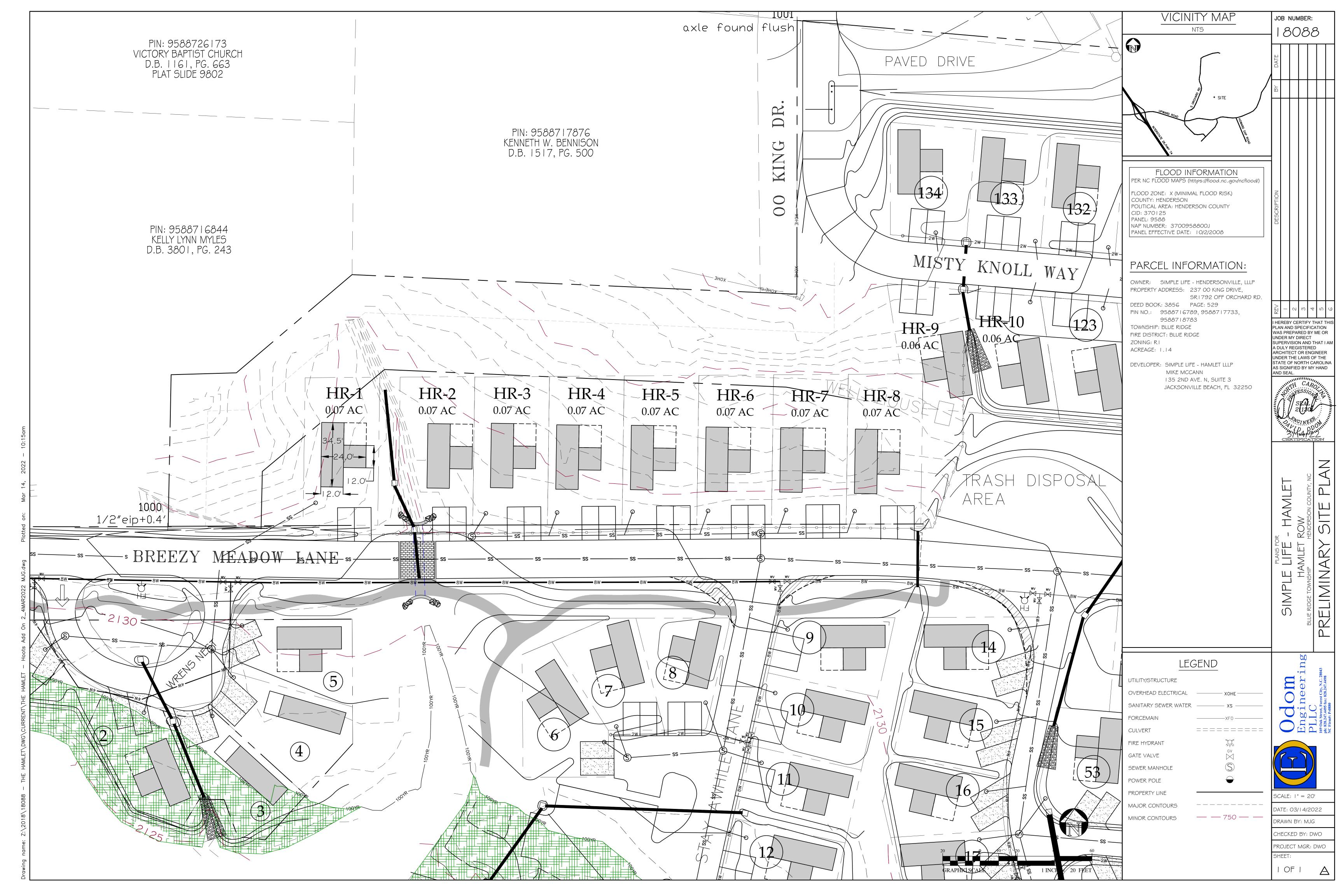
View from West



01/08/2022







State of North Carolina, County of <u>Henderson</u> State Cour filed for registration on the _____ day of ______ 20 _____ I, <u>Ma</u> _M and recorded in _o' clock__ certit in the office of the Slide mee Register of Deeds of_ County Register of Deeds

L7 *‡ L8 are Tie Lines* Course Bearing N 01°06'26" E

LI	N 01°06'26" E	81.23'
L2	N 88°20'16" E	34.97'
L3	N 49°40'47" E	81.27'
L4	504°18'21" W	62.31'
L5	N 84°39'03" W	7.84'
L6	5 10°19'25" W	46.02'
L7	5 84°58'06" E	29.87'
L8	5 85°04'44" E	220.21'

Distance

O.22 Acres

D.B. 1146, Pg. 429 Pin: 9588-71-6789

Area by Coordinate Computation

Building Setbacks as per R-1 Henderson County Zoning: Front: 15' Side: 10' Rear: 10'

Notes:

1. Property is subject to all easements, restrictions and right of ways of record. 2. The locations of underground utilities are based on above-ground structures and record drawings provided to the surveyor. Locations of underground utilities/structures may vary from locations shown hereon. Additional buried utilities/structures may be encountered.

3. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate title search may disclose.

4. The certification of survey and plat was prepared for the entity named in the title block hereon and does not extend to any other entity, unless recertified by the professional land surveyor.

5. All miscellaneous survey related materials, including but not limited to, project plans, deed and ROW research, maps, field notes and data, survey reports, record title report, calculations, working drawings, estimates, and other materials acquired and/or prepared by the surveyor as instruments of service shall remain the property of the surveyor and assigns. 6. This drawing is not valid unless the original signature and stamp are attached. Any reproduction or variance to this survey by electronic or any other means are not to be considered issued by the professional surveyor.

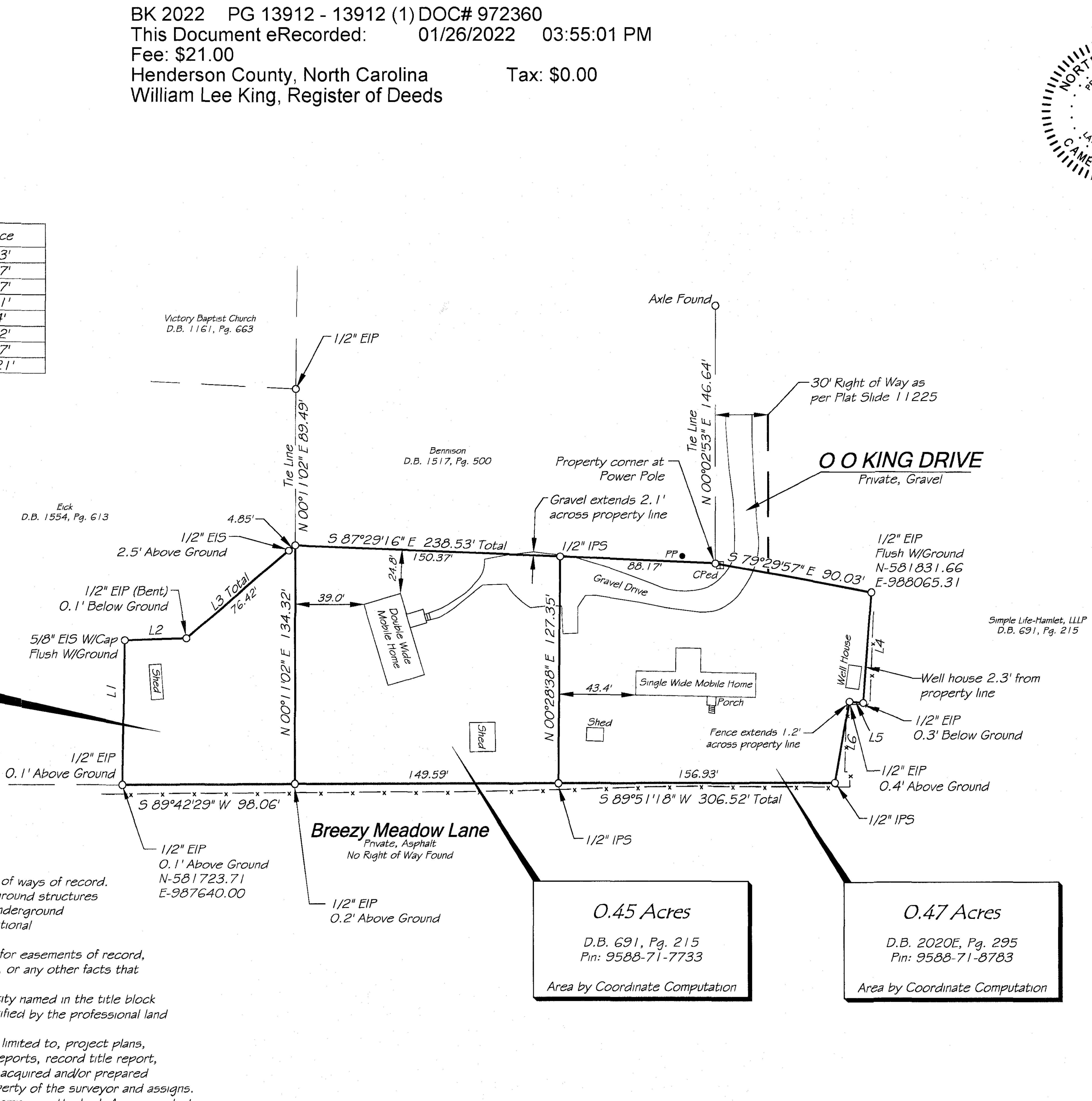
7. Property is currently zoned R-1 as per Henderson County GIS. 8. Property is not located in a Water Supply Watershed.

9. Property is located within 1/2 mile of a designated Farmland Preservation District. 10.Property is located in Zone X(minimal flood risk) as per FRIS Map Panel 9588, Map # 3700958800J effective date 10-2-2008.

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GRAPHIC	SCALE	- FEE	T		

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of North Carolina					
nty of <u>Henderson</u>					· ·
att Champion	Review Officer of	Henderson Cou	inty,		
y that the map or pla	t to which this certifica	ation is affixed			
's all statutory require	ments for recording.				
n 2022/01/26 11:09:36 -8:00		01/26/2022		·	
ew Officer		Date	_		



Submitted electronically by "Associated Land Surveyors & Planners, PC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Henderson County Register of Deeds.

Legend: ECM = Existing Concrete Mo EIP = Existing Iron Pipe ElS = Existing Iron Stake

 $--- \times ---- \times ---- \times ---- \times ---- \times ---- \times ---- = Fence$

IPS = Iron Pipe Set 0 = Unmarked Point, Unless Otherwise Notec ROWMON = Right of Way Monument ROW = Right of WayRRS = Railroad Spike PP = Power Pole CPed = Cable TV Pedestal

	Upward Rd	5 Orch	SITE Breezy Meadow Ln	wad
		Vicinit	NOT TO SCALE	
sı Pi la th W	<i>Camero</i> rawn under my su upervision, (deed age <u>295/215/24</u> titudes and depai is map was prepa lis map was prepa	description reco 9,) that the ra rtures does not a ared in accordant of signature, lice	an actual surve orded in Book <u>2</u> atio of precision exceed 1:10,00 nce with G.S. 4 nse number an	2020E/691/1 n as calculate 00 and that 7-30 as ame

Tolessional Land Oulyeyor, certily that this sulvey is of an existing parcel of land and does not create a new street or change an existing street.

Cameron S. Baker Professional Land Surveyor L-4920

Global Positioning System Certification (RTK) The Positional Accuracy Of The RTK Derived Positional Information Is 0.03' Horizontal & 0.03' Vertical

Horizontal Positions Are Referenced to NAD 83 (NSRS 2011) Vertical Positions Are Referenced To NAVD 88 (Geoid 12)

Combined Factor 0.99977329 (Ground To Grid)

Equipment Used: Carlson GPS-BRx6

Being All That Property Described in D.B. 202E, Pg. 295, D.B. 691, Pg. 215, and D.B. 1146, Pg. 429

Map of Boundary Survey for

Simple Life -Owners-Mary Hoots D.B. 2020E, Pg. 295 William & Cynthia Hoots D.B. 691, Pg. 215 Mary & Samuel Hoots D.B. 1146, Pg. 429 Pin: 9588-71-8783 Pin: 9588-71-7733 Pin: 9588-71-6789

Blue Ridge Township Henderson County, NC

JOB NO.: S-21-885

ASSOCIATED LAND SURVEYORS & PLANNERS PC. P.O. BOX 578 * HORSE SHOE, NC 28742

(828) 890-3507 NC BUSINESS LICENSE NO. C-2774

SCALE: 1 Inch = 50 Feet DATE: December 7, 2021

DRAWN BY: LDJ

IntelliCAD 8.0

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SEAL

-4920

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HENDERSON COUNTY SPECIAL USE PERMIT APPLICATION FORM

GENERAL INFORMATIO	DN				
Date of Application:N	March 14, 202	2			
Previously Submitted (Circ	ele One): Yes	No			
Date of Pre-Application Co	nference:				
Site Plan Attached (Circle	One):(Yes)	No			
Traffic Impact Study Requ	ired (Circle (One): Yes	No		
SPECIAL USE PERMIT I	NFORMATI	ON			
Type of use to be permitted:	RV Pa	ark (Tiny Home	S)	_ SR #: _	SR1792
Existing Structures or Uses o	n property:				
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:	9588716789,	958871773	33, 9588718783	Deed Book/Pa	ge: <u>3856/529</u>	Tract Size (Acres):	1.14 Total
Zoning	g District:	R1	Fire District:	Blue Ridge	Watershed:	Floodplain: Z	Zone X
Location of property to be developed:237 OO King Drive, SR1792 off Orchard Road. Hamlet Row is an extension of							
The Hamlet Development.							

CONTACT INFORMATION

Property	Owner
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Name:	Simple Life - Hendersonville, LLLP	Phone:	(904) 685-7976

Address: 135 2nd Ave. N., Suite 3

City, State, and Zip: Jacksonville Beach, FL 32250

Applicant:

Name: Simple Life - Hamlet, LLLP (Mike McCann) Phone: (904) 685-7976

	Application No.
Address: 135 2nd Ave. N., Suite 3	City, State, and Zip: Jacksonville Beach, FL 32250
Agent:	
Name: Gabriel Wahila, Director of Development	Phone: (904) 451-4744
Address: 135 2nd Ave. N., Suite 3	City, State, and Zip: Jacksonville Beach, FL 32250
Agent Form (Circle One): Yes No	
Plan Preparer:	
Name: Odom Engineering, PLLC	Phone: (828) 247-4495
Address: <u>169 Oak Street</u>	City, State, and Zip: Forest City, NC 28043

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: This low impact development will not endanger the public health, safety, or welfare in anyway.
- B. General Requirement #2. The use will not substantially injure the value of property or improvements in the area.

The use is consistent and compatible with adjoining and neighboring properties and will not injure the value of the property or improvements in the area.

C. General Requirement #3. The use will be in harmony with the surrounding area. <u>The use is in harmony with the existing tiny home development at the Village of Wild Flowers and at the Hamlet. It is in harmony</u> with the surrounding area as a whole.

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.
- 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.

Application No.

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.		

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.

Yes. The applicant is utilizing the services of the Engineer to ensure environment impacts are minimized and that the plans and development take these into account during design and planning.

Show that satisfactory provision/arrangement has been made (where applicable or required) concerning:

- Ingress and egress to property and proposed structures thereon (with particular reference to automotive/pedestrian safety/convenience and traffic flow/control).
 Ingress and egress will remain as previously approved at the Hamlet, and the pedestrian walking trails will be expanded to include access to the new development.
- b. Off-street parking and loading areas.
 Off-street parking shall be provided at each lot/unit, consistent with existing developments.
- c. Utilities (with particular reference to locations, availability and compatibility).
 <u>Water, sewer, electric, phone and cable/data, and gas services are all available and accessible off S. Orchard Road. These</u> have already been extended in the Hamlet community.
- Buffering and landscaping (with particular reference to type, location and dimensions).
 A 50' perimeter landscape buffer will be installed as required. the Western edge of the existing buffer will be revised/ adjusted to reflect the new development boundary limit.
- e. Structures (with particular reference to location, size and use). Homes will be tiny homes, consistent with existing development at the Hamlet.

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

Gabriel Wichila

Print Applicant (Owner or Agent)

tare

Signature Applicant (Owner or Agent)

3/14/22 Data

County Use Only					
Fee: \$	Paid:	Method:	Received by:		
Authority to grant the requested permit is contained in the Land Development Code, Sections:					
Community Plan	ning Area:				

HENDERSON COUNTY MAJOR SITE PLAN REVIEW APPLICATION

CONTACT INFORMATION

Property Ow						
Name	: <u>Simpl</u>	e Life - Hender	sonville, LLLP	Phone: (904) 685-797	6
Comp	lete Address:	<u>135 2nd Ave</u>	<u>e. N, Suite 3, Jacks</u>	<u>onville Beac</u>	<u>:h, FL 32250</u>	
Applicant:						
Name	: <u>Simple</u>	Lıfe - Hamlet,	LLLP (Mike McCann)) Phone: <u>(</u>	(904) 685-797	6
Comp	olete Address:	<u>135 2nd Ave</u>	<u>e. N, Suite 3, Jacks</u>	<u>onville Beac</u>	<u>:h, FL 32250</u>	
Agent:						
			r of Development			
Comp	lete Address:	135 2nd Ave	e. N, Suite 3, Jacks	onville Beac	<u>ch, FL 32250</u>	
Agent	Form (Circle	One): Yes N	No			
Plan Prepare						. –
			LC			
Comp	olete Address:	<u> 1 69 Oak St</u>	<u>reet, Forest City, N</u>	<u>IC 28043</u>		
PIN: <u>958871</u> Zoning Distri Supplemental Permitted by	ct:R Requirement Right	PN 7733, ¢ 958871878 	Fire District: _Bh Watershed:	Je Ridge		
			DO King Drive, SR179			*****
Fee: \$		Paid:	Method:	Receiv	ved by:	

APPLICATION IDENTIFICATION	N.C. DEPARTMENT OF TRANSPORTATION				
Driveway Date of Permit No. Application	STREET AND DRIVEWAY ACCESS				
County:	PERMIT APPLICATION				
Development Name:					
LOCATION OF PRO	PERTY:				
Route/Road:					
Exact Distance					
From the Intersection of Route Noand Route No.	DToward				
	ducational Facilities 🔲 TND 📋 Emergency Services 🔲 Other				
Property: is is not wit					
AGREEMEN					
 I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location. I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation. I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT. I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary. I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction. I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways". I agree to provide during construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied. I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of transportation any be obtained from the District Engineer. I agree to indemnify and save harmless the North Carolina Department of Transportation from the District Engineer. I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules					
2004-01 NOTE: Submit Four Copies of Application to Local District Eng 61-03419	gineer, N.C. Department of Transportation TEB 65-04rev.				

SIGNATURES OF APPLICANT					
COMPANY SIGNATURE ADDRESS	PROPERTY OWNER (APPLICANT) X X X X Phone No. X	SIGNATURE ADDRESS	WITNESS X X X X		
COMPANY SIGNATURE ADDRESS	AUTHORIZED AGENT	_	WITNESS		
		OVALS			
	RECEIVED BY DISTRICT ENGINEER		DATE		
APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)					
	SIGNATURE	TITLE	DATE		
APPLICATION APPROVED BY DISTRICT ENGINEER SIGNATURE DATE					
INSPECTION B	Y NCDOT				
	SIGNATURE	TITLE	DATE		
COMMENTS:					