

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

MEETING DATE: ZBA May 28th

SUBJECT: Flores Campground Special Use Permit & Variance (SUP-25-01 & V-25-02)

PRESENTER: Matt Champion, Zoning Administrator

ATTACHMENTS:

1. Staff Report
2. Oblique Photos
3. Site Plan & Applications

SUMMARY OF REQUEST:

The applicant requests both a special use permit and a variance involving the same parcel. These requests can be dealt with in a single hearing, if the Board so chooses. However, the Board should note that different evidence is required for each request, and that the North Carolina General Statutes require a higher majority of the Board to vote for a variance for it to be allowed. That said, staff does not at this point recommend separating the hearings of the two requests.

1. Special Use Permit for SR: 4.15 Recreational Vehicle Park
2. Variance to allow *individual septic connection*.

Applicable requirements:

42-62 Supplemental Requirements, 4. Recreational Uses, SR 4.15 *Recreational Vehicle Park* of the Henderson County Land Development Code states:

- (8) Sewage System. Recreational vehicle/park model home spaces shall not be provided individual hookups to a septic tank.

SUGGESTED MOTION ONE – ONE OF THE FOLLOWING TWO:

1. I move to approve SUP-25-01 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.

OR

2. I move to deny SUP-25-01 because the use will:

- a. Materially endanger the public health, safety or welfare;
- b. Substantially injure the value of property or improvements in the area; and
- c. Not be in harmony with the surrounding area.

SUGGESTED MOTION TWO – ONE OF THE FOLLOWING TWO

1. I move that the Board of Adjustment approve variance application V-25-02 because it meets the requirements of the Land Development Code to grant a variance, and

- a. There are practical difficulties or unnecessary hardships in carrying out the strict letter of this Chapter, as demonstrated by:**
 - 1. The fact that, if the applicant complies with the literal terms of this Chapter, he/she cannot secure a reasonable return from, or make a reasonable use of, the property.**
 - 2. The hardship of which the applicant complains results from unique circumstances related to the applicant's land.**
 - 3. The hardship is not the result of the applicant's own action.**
- b. The Variance is in harmony with the general purpose and intent of this Chapter and will preserve its spirit.**
- c. The Variance will secure the public safety and welfare and will do substantial justice.**
- d. The Variance shall not be based on the existence of a nonconforming use of neighboring land or structures in the same district, or permitted nonconforming uses in other districts.**
- e. The Variance does not allow for an increase in density for the purposes of subdividing the land that would otherwise not be permitted by the applicable zoning district or subdivision regulations.**

OR

2. I move that the Board of Adjustment deny variance application V-25-02 because it does not meet the requirements of the Land Development Code to grant a variance.



Henderson County, North Carolina
Code Enforcement Services

1. Board Request

- 1.1. **Applicant:** Danie'l Flores
- 1.2. **Request:** RV Park/Campground
- 1.3. **PIN:** 9598-93-3534 & Portion of 9598-89-7496
- 1.4. **Size:** 9.88 acres +/-
- 1.5. **Location:** The subject area located at 612 Lane Rd
- 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

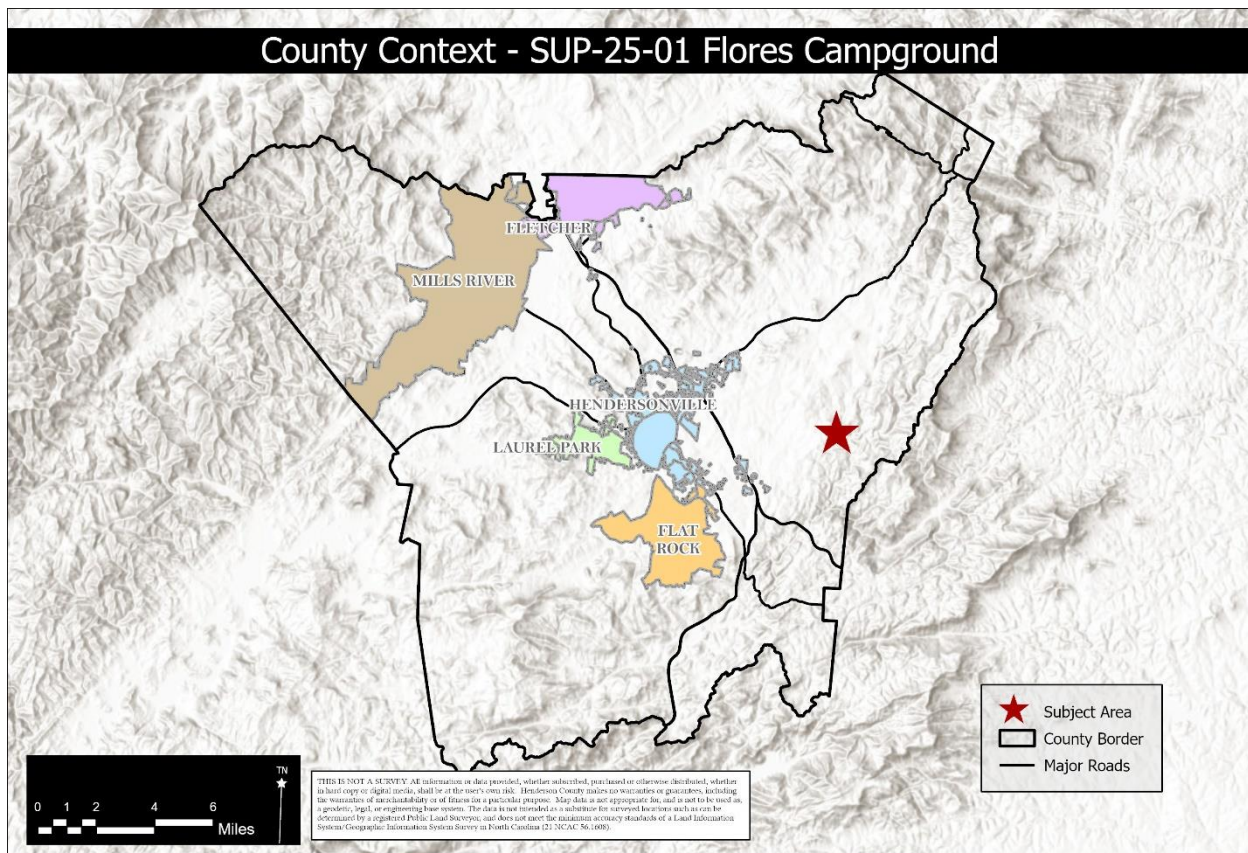
adhere to the development standards established in SR 4.6 (*Common Area Recreation and Service Facilities*).

SR 4.3. Campground

- (1) Site Plan. Major *Site Plan* required in accordance with §42-330 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Size. No *campground* located on/adjacent to a *residential zoning district* shall contain more than 200 campsites. Individual campsites shall be a minimum of 500 square feet.
- (4) Perimeter Setback. Fifty (50) feet.
- (5) Common Area. A *common area* shall be provided, that is equivalent in square footage to 25 percent the total square footage in: campsites, *structures* on site, parking areas and *driveways*. *Common area* shall be accessible for the *use* and enjoyment of *campground* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.
- (6) Operations. The *campground*: a. May contain *structures* ancillary to the use; and b. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs.
- (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 195 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 §42-181 (Screen Classification).
- (8) Common Area Recreation and Service Facilities. Those facilities within the *campground* shall be for the sole purpose of serving the overnight guests in the *campground*, and shall adhere to the development standards established therefore in SR 4.5 (*Common Area Recreation and Service Facilities*).

Campground. An establishment primarily engaged in operating/accommodating campsites. These establishments may provide access to facilities, such as laundry rooms, recreational halls and playgrounds, stores, and snack bars.

Map A: County Context



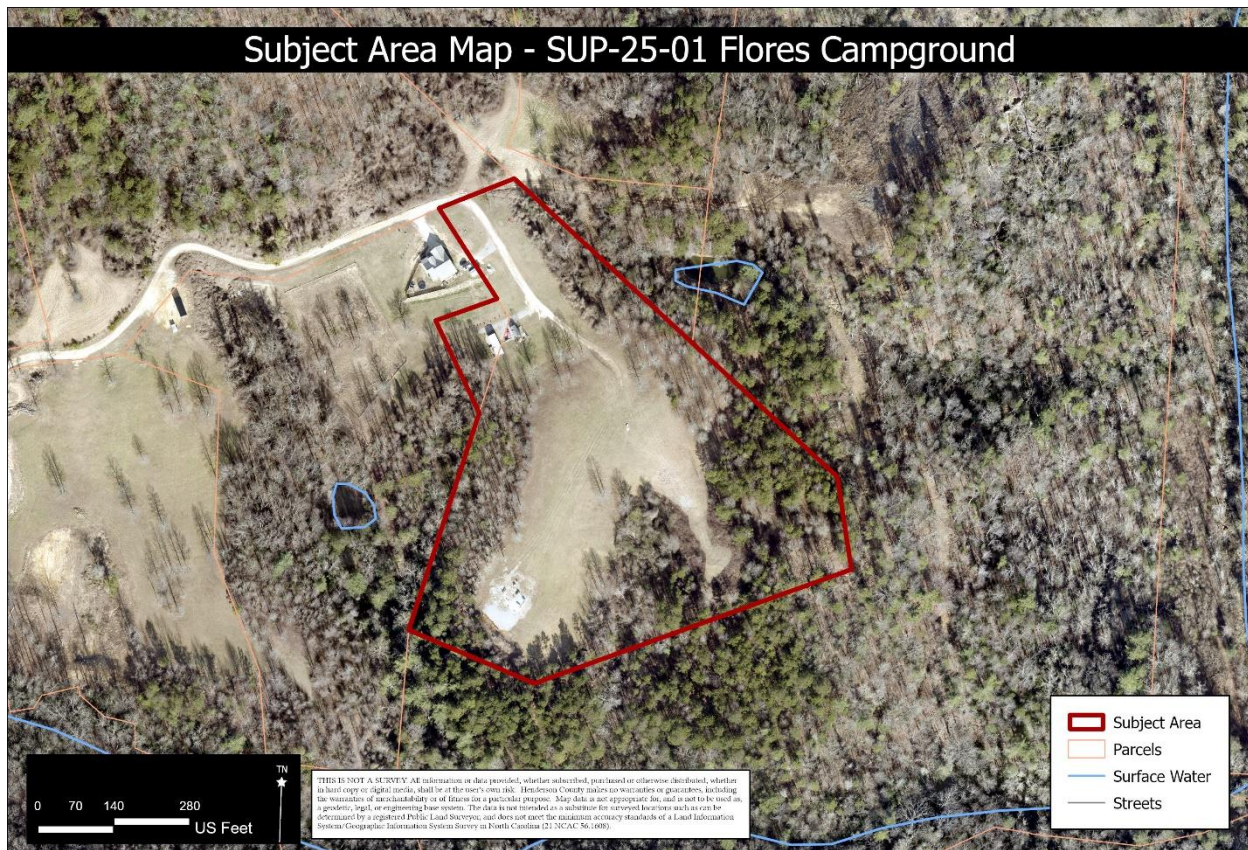
Property Owner: William May / Applicant: Danie'l Flores
 Plan Preparer: Jerome Wilkie, PLS / Assessed Acreage: 9.88 Acres
 PINs: 9598-99-3534 & Portion of 9598-89-7496 / Zoning: Residential Three (R3)



2. History & Characteristics:

- 2.1. **Current Property Owners:** The property is currently owned by William H. May Jr. and Rita G. May. The May's became the sole owners of the property on January 10, 2003.
- 2.2. **Previous Property Owners:** The property was originally co-owned by the current property owners and the Taylors.
- 2.3. **Natural Resources:**
 - 2.3.1. **Streams:** The subject area does not contain any surface water sources.
 - 2.3.2. **Slopes:** The subject area contains 5.38 acres of slopes between 0% to 16%, 3.55 acres of slopes between 16% to 25%, and 0.70 acres of slopes between 25% to 60%.

Map B: Aerial Map



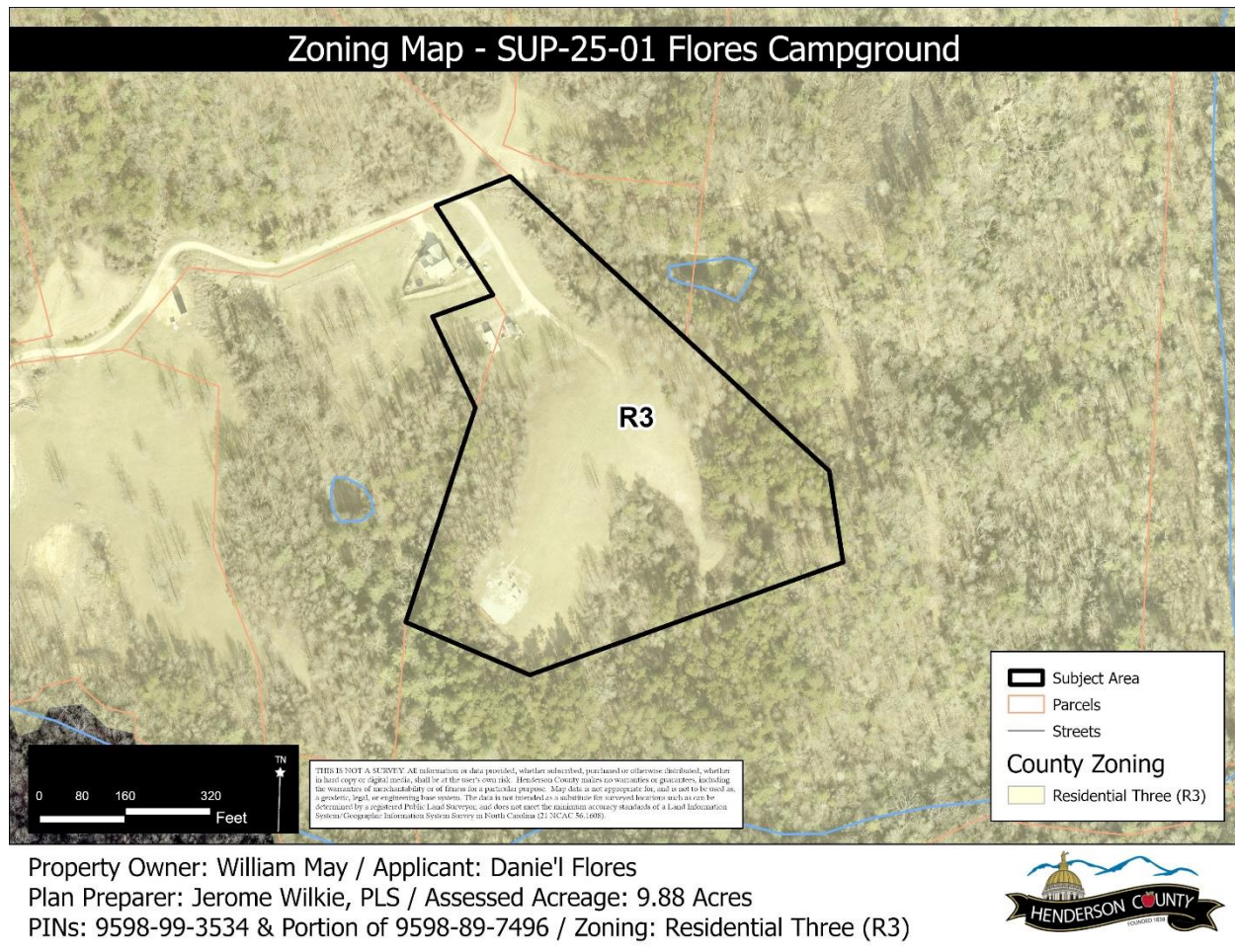
Property Owner: William May / Applicant: Daniel Flores
 Plan Preparer: Jerome Wilkie, PLS / Assessed Acreage: 9.88 Acres
 PINs: 9598-99-3534 & Portion of 9598-89-7496 / Zoning: Residential Three (R3)



3. Current Conditions

- 3.1. **Current Use:** The subject area currently contains an existing 14'X36' wooden shed and a 10'X20' shed with a 10'X20' deck. There is an existing park model that is encroaching onto the subject area. The rest of the subject area is vacant with a natural vegetative buffer around the perimeter of the property. The subject area is accessed by a recorded 60' unnamed right-of-way.
- 3.2. **Adjacent Area Uses:** The surrounding properties consist of residential structures and large vacant tracts that are heavily forested. Parcels further west of the subject area contain agricultural uses.

Map C: Zoning Map



4. Existing Zoning

4.1. **Subject Area Zoning:** The subject area is currently zoned Residential Three (R3) by Henderson County.

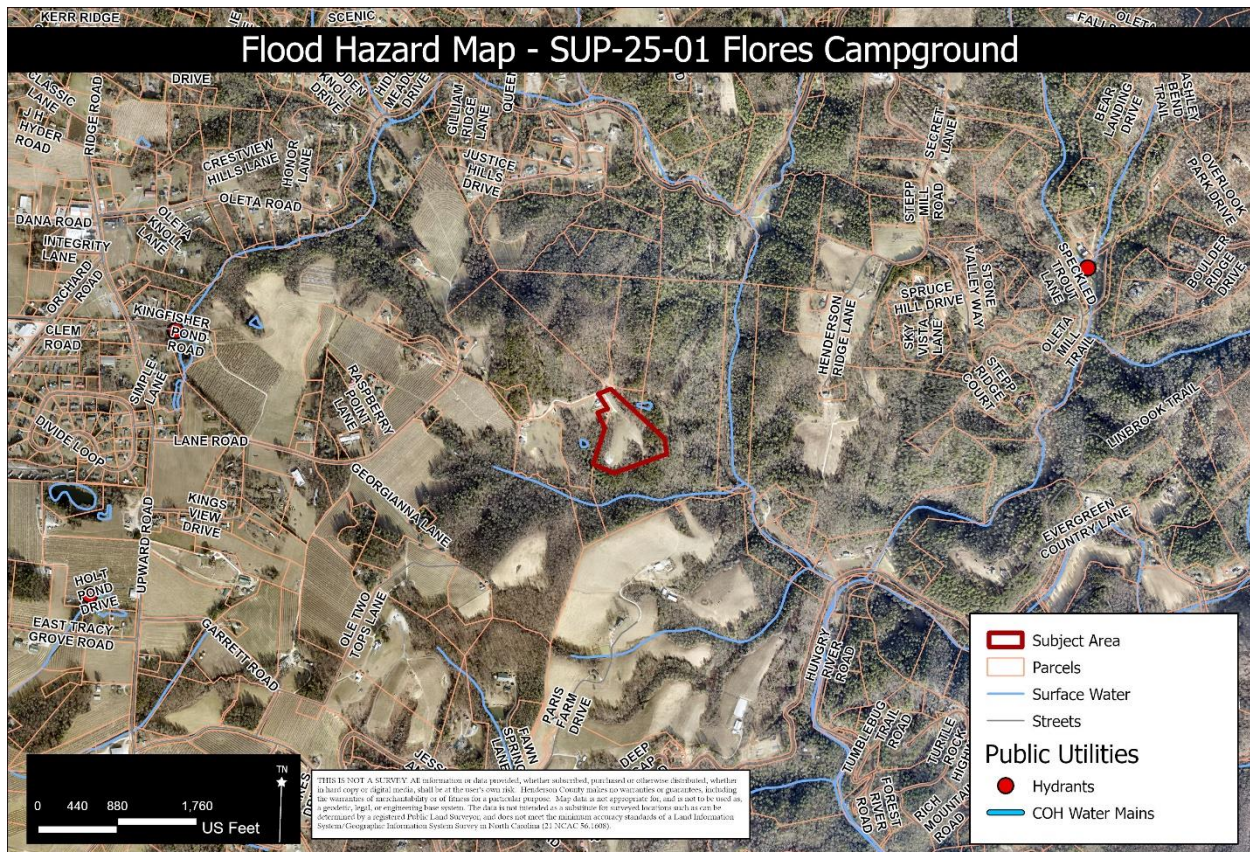
4.1.1. **Residential Three (R3) Zoning District:** The purpose of Residential District Three (R3) is to foster orderly growth where the *principal use* of land is low density residential. The intent of this district is to allow for *residential development* consistent with the recommendations of the *Comprehensive Plan*. This general *use district* is typically meant to be utilized outside areas designated as Utility Service Area (USA) in the *Comprehensive Plan*.

4.1.2. **Surrounding Zoning:** All the surrounding properties are also zoned Residential Three (R3).

5. **Floodplain /Watershed Protection** The subject area is not located within a Special Flood Hazard Area. The subject area is not located within a Water Supply Watershed district.

5.1. The subject area does not have any surface water sources.

Map E: Utilities Map



Property Owner: William May / Applicant: Danie'l Flores
 Plan Preparer: Jerome Wilkie, PLS / Assessed Acreage: 9.88 Acres
 PINs: 9598-99-3534 & Portion of 9598-89-7496 / Zoning: Residential Three (R3)

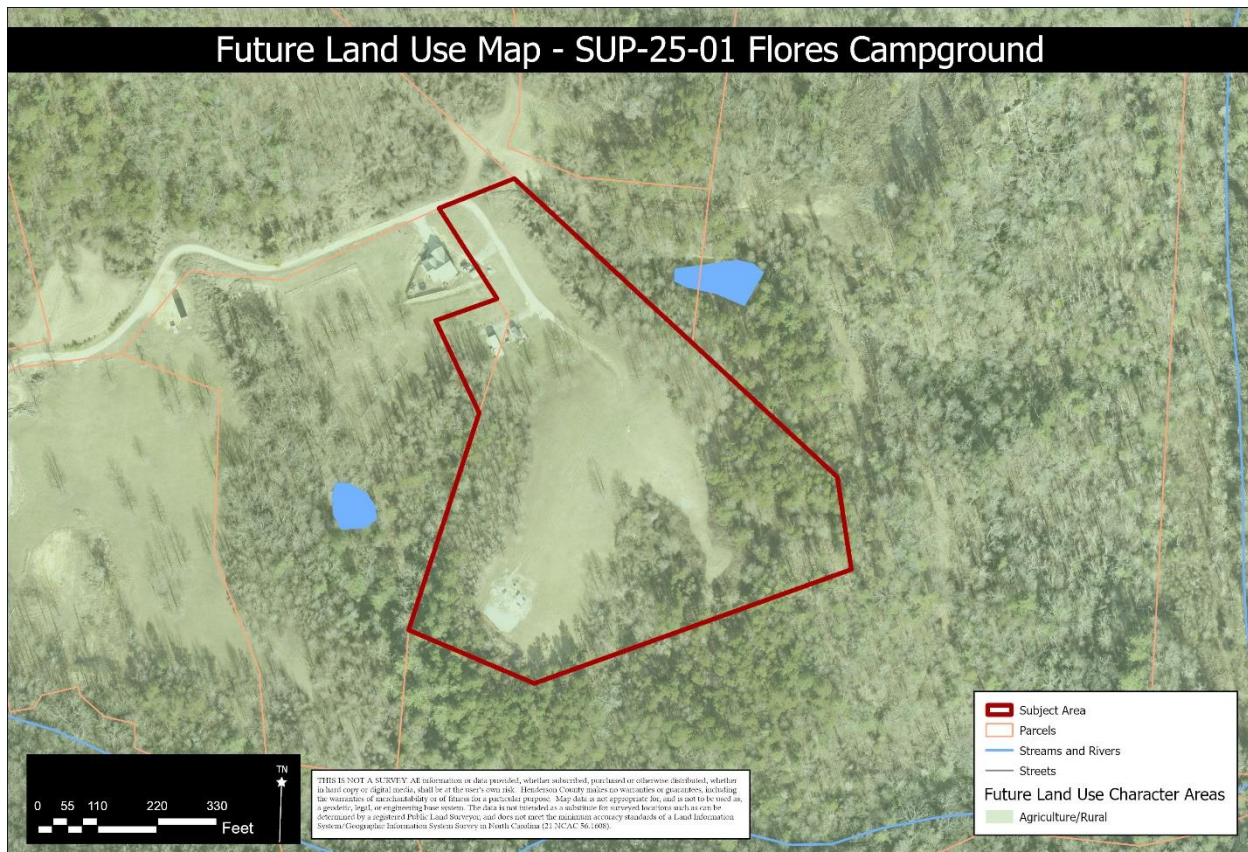


6. **Water and Sewer** The subject area is proposing the use of private shared wells and several shared septic systems to serve the future structures. No public utilities are found in the vicinity of the subject area.

Public Water: N/A

Public Sewer: N/A

Map F: 2045 Future Land Use Map



Property Owner: William May / Applicant: Danie'l Flores
 Plan Preparer: Jerome Wilkie, PLS / Assessed Acreage: 9.88 Acres
 PINs: 9598-99-3534 & Portion of 9598-89-7496 / Zoning: Residential Three (R3)



7. The Henderson County 2045 Comprehensive Plan (2045 Plan): The 2045 Plan Future Land Use Map places the subject area in the Agriculture/Rural character area.

- a. **Agriculture/Rural Character Areas** are important for their ability to support diverse agricultural activities. Development in these areas should be a use that does not interfere with agricultural production or drastically change the rural landscape. There are also areas that are significantly constrained due to steep slopes, few road networks, and limited access to infrastructure including broadband and cellular service. Forestry management, agriculture, very low density residential, outdoor recreation, and tourism are expected uses in these areas. (2045 Plan Part 2 Page 43).
 - i. **Where:** In and around concentrations of working agricultural lands. Also includes areas in and around conservation areas, steep mountain ridges and on the edges of the County
 - ii. **Density:** The majority of the areas will have a maximum allowable density of one unit per acre and the environmentally sensitive areas will have a maximum allowable density of one unit per five acres (gross density)
 - iii. **Uses:** Forestry, very low-density single family residential, outdoor recreation/tourism, and agriculture of all types including row crops, orchards, greenhouses, production and distribution facilities, agritourism operations, and some rural businesses

8. Proposal

8.1. The applicant is proposing to develop the subject area as a recreational vehicle park with most sites identified on the site plan dedicated for camping. The campground use in the Land Development Code (LDC) does not permit recreational vehicles, but a recreational vehicle park in the LDC does permit alternative forms of camping outside of a traditional RV, tiny home, or park model. Additionally, the collection of combined septic systems, as shown on the site plan, is the reason for the variance. A small portion of the adjacent property, as shown on the site plan, will be recombined with the subject area to accommodate the 50' perimeter setback requirement for the proposed use. The major site plan shows the following:

8.1.1. Sites – 9 total

8.1.1.1. 5 platform tents sites shown as approximately 800SQFT

8.1.1.2. 2 primitive cabin sites shown as 12'X36' each

8.1.1.3. 2 RV sites – 1 existing park model and 1 proposed recreational vehicle

8.1.2. Utilities

8.1.2.1. 2 shared wells and 5 septic areas to support all the proposed sites

8.1.3. Amenities

8.1.3.1. 40'X80' barn/pavilion structure

8.1.3.2. Existing 14'X36' shed to be used as an office

8.1.3.3. Proposed bear proof dumpster

8.1.3.3.1. Garbage service through private collection

8.1.4. Access

8.1.4.1. Subject area accessed by existing 15' wide gravel drive

8.1.4.2. Sites accessed by 15' wide gravel drive

8.1.4.2.1. 2 sites accessed by proposed walking path

8.1.4.3. Dedicated parking for all sites

8.1.5. Additional Elements

8.1.5.1. 34,999SQFT of disturbance

8.1.5.2. 7,360SQFT of impervious surfaces (does not include vehicular use areas)

8.1.5.3. 2.77 acres or 29% open space

9. Technical Review Committee

9.1. The TRC reviewed the major site plan on May 6, 2025, and forwarded the application to the ZBA with the following conditions: building permits for barn and pavilion, change of use building permit for existing shed to office, building permit for tent platforms, public water supply permit if applicable, and compliance with NC Fire Regulations.

10. Oblique Photographs

View from East



View from North



View from South



View from West



**HENDERSON COUNTY
MAJOR SITE PLAN REVIEW APPLICATION**

CONTACT INFORMATION

Property Owner:

Name: William May Phone: 828-243-9254
Complete Address: 82 Honor Lane, Hendersonville, NC 28731

Applicant:

Name: Danie'l Flores Phone: 828-216-0792
Complete Address: 610 Lane Rd, Flat Rock NC 28731

Agent:

Name: _____ Phone: _____
Complete Address: _____
Agent Form (Circle One): Yes No

Plan Preparer:

Name: Jerome Wilkie, PLS Phone: 8286067462
Complete Address: 249 Lindsey Loop Rd, Fletcher, NC 28732

GENERAL INFORMATION

Date of Application: 03/27/2025

Site Plan Attached (Circle One): Yes No

PARCEL INFORMATION

PIN: <u>9598993534</u>	Tract Size (Acres): <u>9.63</u>
Zoning District: <u>R3</u>	Fire District: <u>Dana</u>
Supplemental Requirement# <u>4.15</u>	Watershed: <u>N/A</u>
Permitted by Right _____	Floodplain: <u>Outside</u>
Special Use Permit <u>X</u>	

Location / Property to be developed: Turn right onto gravel drive at 610 and 606 mailboxes. Follow driveway until you reach a blue house. Take a right at the blue house and go down then up the hill. The hill section and a sliver downhill will be the developed area.

County Use Only

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

Application No. _____

**HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

GENERAL INFORMATION

Date of Application: 03/25/2025
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: Campground SR #: _____
Existing Structures or Uses on property: Existing 4-bedroom septic system, well, electric, and 14x36 shed
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: 9598993534 Deed Book/Page: _____ Tract Size (Acres): 9.63AC
Zoning District: R3 Fire District: Dana Watershed: _____ Floodplain: _____
Location of property to be developed: 612 Lane Rd (field and hill section)

CONTACT INFORMATION

Property Owner:

Name: William May Phone: 828-243-9254
Address: 82 Honor Lane City, State, and Zip: Hendersonville, NC 28792

Applicant:

Name: Danie'l Flores Phone: 828-216-0792

Application No. _____

Address: 610 Lane Rd

City, State, and Zip: Flat Rock, NC 28731

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 campground with dome tents will not materially endanger the public health, safety, or welfare.
Adequate measures will be taken to ensure safety, including proper (bear-proof) waste disposal,
fire prevention measures, and emergency access.

- B. General Requirement #2. The use will not substantially injure the value of property or improvements in the area.
The proposed use will not substantially injure the value of property or improvements in the area.
The design will complement the natural environment and maintain the scenic character of the
region. The dome tents will attract those wishing to "escape into nature" while also permitting
the highest and best use of the parcel.

- C. General Requirement #3. The use will be in harmony with the surrounding area.
The campground will be in harmony with the surrounding area, providing eco-friendly
accommodations that attract visitors and promote local tourism. The surrounding area is full of
orchards and vineyards. The campground will work in harmony with the surrounding agritourism.

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 development will comply with all applicable local, state, and federal regulations, including
zoning, environmental, and health 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.
The use aligns with the county's Comprehensive Plan, supporting tourism and sustainable
land use.

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.

The site plan minimizes environmental impact by maintaining green spaces, using permeable surfaces, and employing eco-friendly waste management. The plan works in accordance with the terrain whereas minimal clearing will be necessary.

- 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.

Fast-growing trees will be used to act as a buffer. The request preserves ponds and streams located on the property. The tent sites are located where minimal clearing will be necessary.

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 property will have well-marked driveways for safe access. Parking will be designated to maintain smooth traffic flow. Trails to each unit will be marked.

- b. Off-street parking and loading areas.

Sufficient off-street parking will be provided to accommodate guests as indicated on the site plan.

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

Water and sewage services will be provided through individual systems designed per environmental guidelines. Due to the rural location, the use of septic system(s) and a well water system will be necessary. We request that each septic system serve two dome tents and the existing well be shared between the structures.

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

Fast-growing trees such as Leyland Cypress or Green Giants will be used as buffers. Shrubs and perennials will be used as landscaping near each unit.

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

The dome tents will be between 8m-9m in diameter and will be set on a deck platform. Each dome tent will have electricity and be connected to a septic/well. The site plan includes a 14x36 office building (existing shed) and barn structure (20x40).

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

William H. May Jr.
Print Applicant (Owner or Agent)

William H. May Jr.
Signature Applicant (Owner or Agent)

03/25/25
Date

County Use Only

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

Authority to grant the requested permit is contained in the Land Development Code, Sections: _____

Application No. _____

**HENDERSON COUNTY
VARIANCE APPLICATION FORM**

GENERAL INFORMATION

Date of Application: 04/17/2025

Previously Submitted (Circle One): Yes No

Date of Pre-Application Conference:

Site Plan Attached (Circle One): Yes No

PARCEL INFORMATION

Property Address 612 Lane Rd, Flat Rock, NC 28731

PIN: 9598993534 Deed Book/Page: 1125/345 Acreage:

Zoning District: R3 Fire District: DANA Watershed: Floodplain: Outside

Driving Directions: At the end of paved portion of Lane Rd take a right at 610 mailbox. Continue until you reach the blue house then take a right up the hill.

REASON FOR VARIANCE Septic Systems

FRONT SETBACK (feet/foot)

SIDE SETBACK (feet/foot)

REAR SETBACK (feet/foot)

PROPERTY OWNER CONTACT INFORMATION:

Name: William May Phone: 828-243-9254

Address: 82 Honor Lane City, State, and Zip: Hendersonville, NC 28792

Applicant:

Name: Danie'l Flores Phone: 828-216-0792

Address: 610 Lane Rd City, State, and Zip: Flat Rock, NC 28731

Agent:

Name: Phone:

Address: City, State, and Zip:

Agent Form (Circle One): Yes No

Plan Preparer:

Name: Phone:

Address: City, State, and Zip:

SITE PLAN REQUIREMENTS

Site plan of property showing existing structures, natural features (i.e. streams, ponds, etc.) proposed building or addition and indicating distance from such to the edge of right-of-way (centerline for variance request in the R-40, WR, or SW districts) and to the side and rear lot lines, as applicable. **It is required that the site be staked or flagged. The Zoning Administrator will take photos of the site and the staked or flagged area. Show placement of well & septic system and drain field if applicable and distances from structures.**

NOTE: 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.

STANDARDS FOR REVIEW

The Zoning Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach the following conclusions as a prerequisite to the issuance of a variance. State facts and argument in support of each of the following:

SECTIONS A & D MUST BE ANSWERED BY APPLICANT OR AGENT

A. There are practical difficulties or unnecessary hardships in carrying out the strict letter of this Chapter, as demonstrated by:

1. The fact that, if the applicant complies with the literal terms of this Chapter, he/she cannot secure a reasonable return from, or make a reasonable use of, the property. (It is not sufficient that failure to grant the variance simply make the property less valuable.)

Due to the rigid nature of septic regulations for RV parks, we are unable to make
reasonable use of the land using traditional mobile RV infrastructure. Park model units
arrive on trailers, but are not intended to be mobile. Without a variance, we would be
forced to conform to RV standards that do not fit the fixed nature of these structures.

2. The hardship of which the applicant complains results from unique circumstances related to the applicant's land. (Note: Hardships suffered by the applicant common with his neighbors do not justify a variance. Unique personal or family hardships are irrelevant since a variance, if granted, runs with the land.)

The hardship results from the unique circumstance that our "recreational vehicles" are in
fact immobile once placed—more akin to cabins than traditional RVs. These units cannot
be moved easily and require long-term placement, justifying septic accommodation more in
line with campgrounds.

3. The hardship is not the result of the applicants own action.

This hardship is not the result of our actions, but due to the mismatch between the legal
classification of park models and their practical immobility.

B. The variance is in harmony with the general purpose and intent of the Land Development Code and will preserve its spirit. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

The variance aligns with the spirit of the Land Development Code by promoting reasonable
land use and minimizing environmental or neighborhood impact. Our request only seeks
minimal deviation to accommodate a campground-style experience that promotes tourism and
rural economic development. These are non-intrusive structures.

C. The variance will secure the public safety and welfare and will do substantial justice. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.)

Granting the variance supports public welfare by encouraging safe, sanitary disposal through a
centralized system. Denying the variance would prevent the use of sustainable, fixed lodging
options and create undue hardship, while offering little public benefit.

SECTIONS A & D MUST BE ANSWERED BY APPLICANT OR AGENT

D. The variance shall not be based on the existence of a nonconforming use of neighboring land or structures in the same district, or permitted nonconforming uses in other districts, and shall in no way constitute a reason for the requested variance.

This request is not based on any existing nonconforming use nearby, but on the specific circumstances and usage of our park model cabins.

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

Danie'l Flores

Print Applicant (Owner or Agent)

04/17/2025

Signature Applicant (Owner or Agent)

Date

County Use Only

Fee: \$ _____ Paid: _____ Method: _____ Received by: _____ Permit#: _____

HENDERSON COUNTY

CODE ENFORCEMENT SERVICES APPOINTMENT OF AGENT FORM (OPTIONAL)

I _____ owner of property located on _____,
(Name) (Street Address)
recorded in _____ and having a parcel identification number of _____,
(Deed Book/Page) (PIN)

located in Henderson County, North Carolina, do hereby appoint _____,
(Agent's Name)

_____, to represent me in an **application to the Code Enforcement Services**
(Agent's phone number)

Department and authorize him/her to act as my agent **in all matters**, formal and informal except as stated herein, and authorize him/her to receive all official correspondence.

I however understand that as the listed property owner, I must sign all affidavits and statements required by any applicable ordinance.

(Property Owner)

(Date)

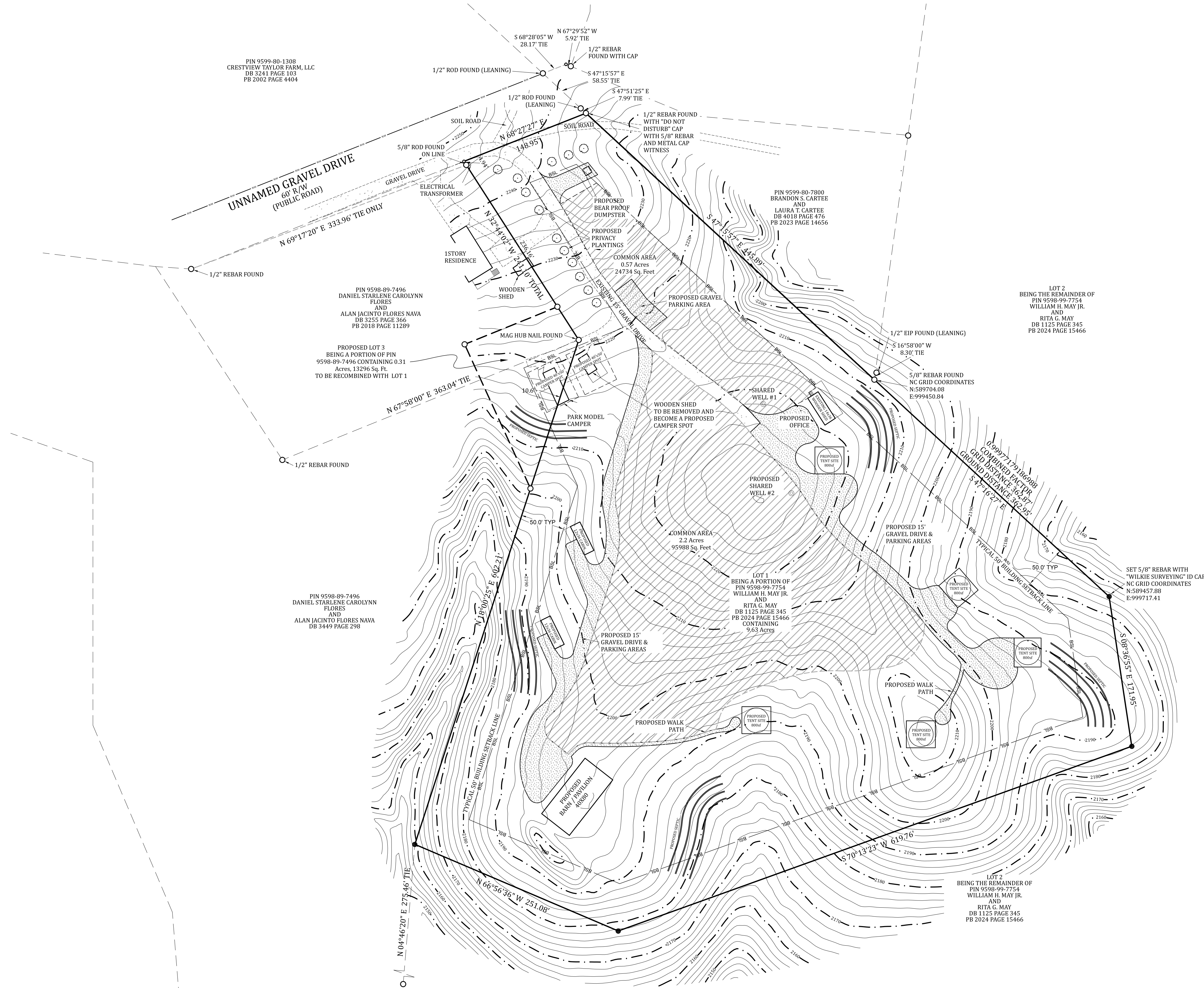


PLAT NOTES:

1. ALL AREAS CALCULATED BY COORDINATE COMPUTATION METHOD.
2. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE AND MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY-AT-LAW.
3. THIS SURVEY MAY BE SUBJECT TO ALL RIGHTS-OF-WAYS, EASEMENTS, RESERVATIONS, AND RESTRICTIONS WRITTEN AND UNWRITTEN RECORDED AND UNRECORDED.
4. ADJOINING PROPERTY OWNER INFORMATION WAS OBTAINED FROM THE HENDERSON COUNTY GIS WEBSITE.
5. NO UNDERGROUND UTILITIES WERE LOCATED.
6. CALL 811 OR 1-800-632-4949 BEFORE DIGGING.
7. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
8. THE SUBJECT PROPERTY LIES WITHIN THE HENDERSON COUNTY ZONING DISTRICT "R3" AND IS SUBJECT TO THE FOLLOWING SETBACKS:
FRONT = 15'
SIDES = 15'
REAR = 15'
9. THIS PLAT WAS NOT PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, AND AS SUCH IS NOT INTENDED FOR RECORDING, SALES OR CONVEYANCE.
10. PROPOSED TOTAL AREA DISTURBED IS 34,999 SF
11. PROPOSED COMMON AREA IS (2.77 AC) 29% OF TOTAL AREA.
12. AREAS NOT USED FOR CABIN AND TENTS SITES WILL BE DESIGNATED AS COMMON AREA.
13. PROPOSED IMPERVIOUS SURFACES IS 7360
14. UNDER THE CURRENT DEPARTMENT OF ENVIRONMENTAL HEALTH WILL DETERMINE THE EXACT LOCATION OF SEPTIC & WELL LOCATIONS; AREAS SHOWN ARE APPROXIMATE.
15. TENTS WILL SIT ON DECK PLATFORMS.
16. GARAGE SERVICE BY PRIVATE CONTRACTOR REQUIRED.
17. LIGHTING MITIGATION REQUIRED.

LEGEND:

- EIP = EXISTING IRON PIPE
- CTP = CORRUGATED TIE PIPE
- KRS = RAILROAD SPIKE
- IPR = IRON PIPE SET $\frac{3}{4}$ " REBAR WITH CAP
- R/W = RIGHT OF WAY
- B.S.L. = BUILDING SETBACK LINE
- E = EDGE OF PAVEMENT
- CMP = CORRUGATED METAL PIPE
- CP = CORRUGATED PLASTIC PIPE
- CCP = REINFORCED CONCRETE PIPE
- CO = SEWER CLEANOUT
- = CALCULATED & UNMARKED POINT
- = POINT OF BEGINNING (AS NOTED)
- = SET $\frac{3}{4}$ " REBAR W/ "WILKIE SURVEYING" I.D. CAP
- = UTILITY POLE
- = WATER METER
- = WATER VALVE
- = FIRE HYDRANT
- = TELEPHONE PEDAESTAL
- = SANITARY SEWER MANHOLE
- = STORM SEWER MANHOLE
- = OVERHEAD UTILITY LINE
- - - = UNDERGROUND ELECTRIC LINE
- - - = UNDERGROUND GAS
- S- = SANITARY SEWER LINE
- - - = UNDERGROUND TELEPHONE
- - - = EDGE GRAVEL
- - - = FENCE
- - - = SUBJECT PROPERTY LINE (SURVEYED)
- - - = ADDITION LINE (LINE NOT SURVEYED)
- - - = BUILDING SETBACK LINE (B.S.L.)
- - - = RIGHT-OF-WAY LINE (R/W)
- - - = TIE LINE
- - - = SUBJECT PROPERTY LINE (LINE NOT SURVEYED)



PROPOSED CAMPGROUND SITE PLAN

FOR
William & Rita May

OWNER INFORMATION
WILLIAM H. MAY, JR.
AND
RITA G. MAY

CONTACT INFORMATION
DANIEL STARLENE CAROLYN FLORES
 610 LANE ROAD
 DANA, NC
 (828) 216-0792

REFERENCE PLAT BOOK 2025 PAGE 16171
FOR BOUNDARY INFORMATION NOT SHOWN

BLUE RIDGE TOWNSHIP
HENDERSON COUNTY, N.C.
DRAWN BY: RJW
JOB #241201



SURVEYING
PLLC

FIRM LICENSE NO. P-2793
249 LINDSEY LOOP ROAD
FLETCHER, NC 28732
WILKIESURVEYING.COM

REVISED: 4/9/2025:
ADDED 2 CABIN SITES, 1 CAMPER SITE AT
OLD SHED THAT IS TO BE REMOVED AND
UPDATED DISTURBANCE AREA AND COMMON
SPACE AREA.

REVISED: 4/22/2025:
ADDED (2) 40'x50' CAMPER SPOTS SITE AT
OLD SHED THAT IS TO BE REMOVED AND
PARK MODEL CAMPER

