

Staff Report: TRC 3-17-15
Garrett Family Cemetery

REQUEST FOR COMMITTEE ACTION
HENDERSON COUNTY
Technical Review Committee

MEETING DATE: March 17, 2015

SUBJECT: Major Site Plan for Garrett Family Cemetery located on Fruitland Cemetery
Road off Fruitland Road

PRESENTER: Toby Linville, Code Enforcement Director

ATTACHMENTS:

1. Staff Report
2. Photographs
3. Site Plan

SUMMARY OF REQUEST:

Major site plan review for a family cemetery.

Suggested Motion:

I move to approve the site plan for Garrett Family Cemetery because it meets the requirements of the Land Development Code.



Henderson County, North Carolina Code Enforcement Services

1. Board Request

- 1.1. **Applicant:** Garrett Family
- 1.2. **Request:** Major Site Plan Review for a family cemetery
- 1.3. **PIN:** 9681-76-4181
- 1.4. **Size:** 1.00 acres +/-
- 1.5. **Location:** The subject area is located on Fruitland Cemetery Road off Fruitland Road
- 1.6. **Supplemental Requirements:**

SR 5.3. Cemetery, Family

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Plot Setback. Plots shall be:
 - a. Twenty (20) feet from any property line.
 - b. One hundred (100) feet from any structure.
 - c. One hundred (100) feet from an existing well.
 - d. One hundred (100) feet from the high-water mark of any spring, stream, lake, reservoir or other know source of water. Family cemeteries shall not be located in a *special flood hazard area*.
- (3) Security. The family cemetery shall be enclosed by a fence or wall at least four (4) feet in height constructed of metal, masonry or stone.
- (4) Private/Public Easement. A minimum twenty (20) foot private or public *easement* shall be recorded to provide access to a family cemetery.
- (5) Certification, Licensure and Permitting. A family cemetery shall comply with all applicable local, state and federal environmental and public health laws (including the requirements of N.C.G.S. 65-Cemeteries).
- (6) Plat. A family cemetery shall be recorded on a plat in the Register of Deeds office.
- (7) Marker. Each container of human remains shall be buried beneath the surface of the ground and shall be indicated by a permanent visible marker or monument. The marker or monument should be made of granite or bronze, mounted on at least a four inch concrete base and have a minimum dimension of one (1) foot wide by two (2) feet tall and be four (4) inches thick. The marker should be placed as soon as practicable after the remains are interred and shall bear the name, year of birth and year of death of the deceased.
- (8) Responsibility. The owner of any property which contains all or part of a family cemetery is responsible for maintaining the family cemetery in compliance with local, state and federal regulations.

Map A: Aerial Photo/Pictometry



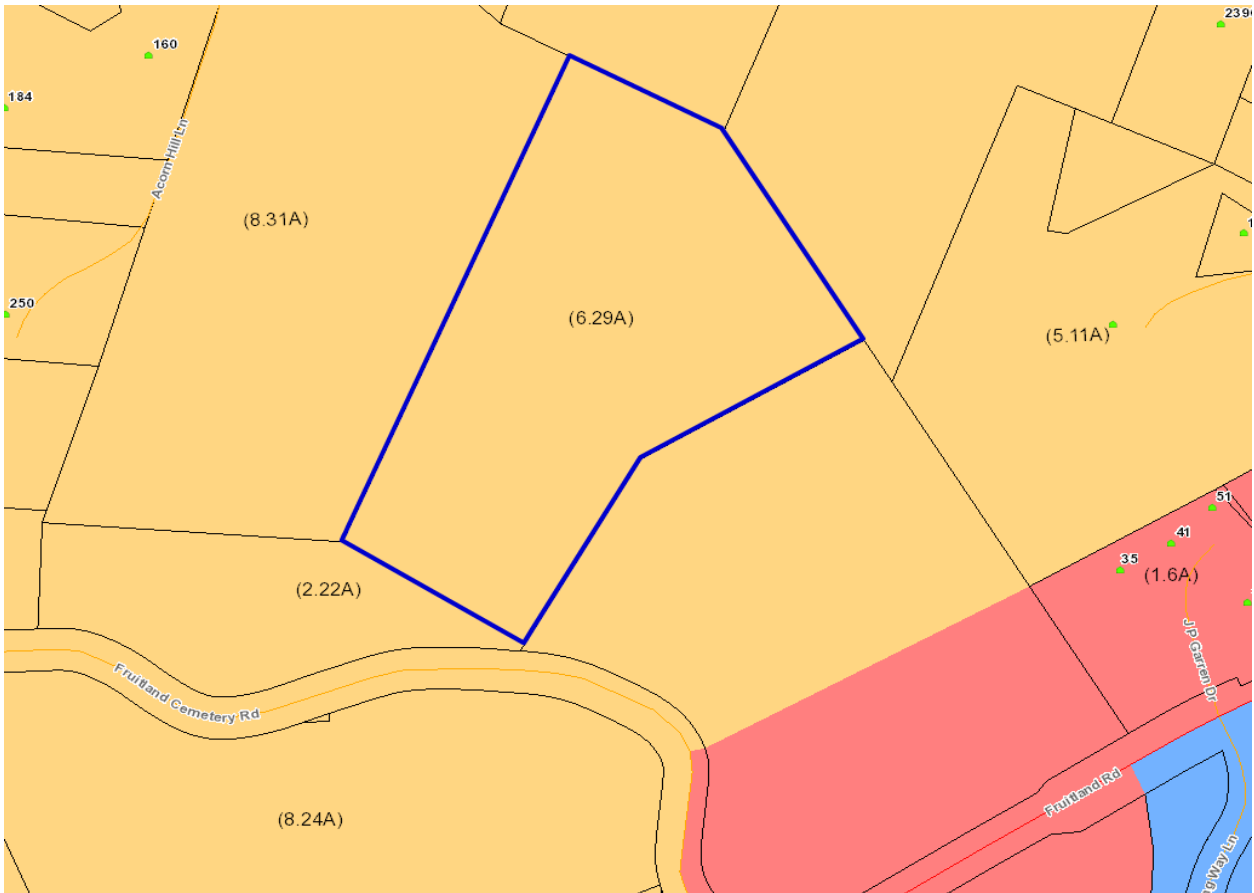
2. Current Conditions

2.1 Current Use: This parcel is currently vacant.

2.2 Adjacent Area Uses: The surrounding properties consist of agricultural, residential and undeveloped land.

2.3 Zoning: The surrounding properties are zoned Residential 2 Rural (R2R).

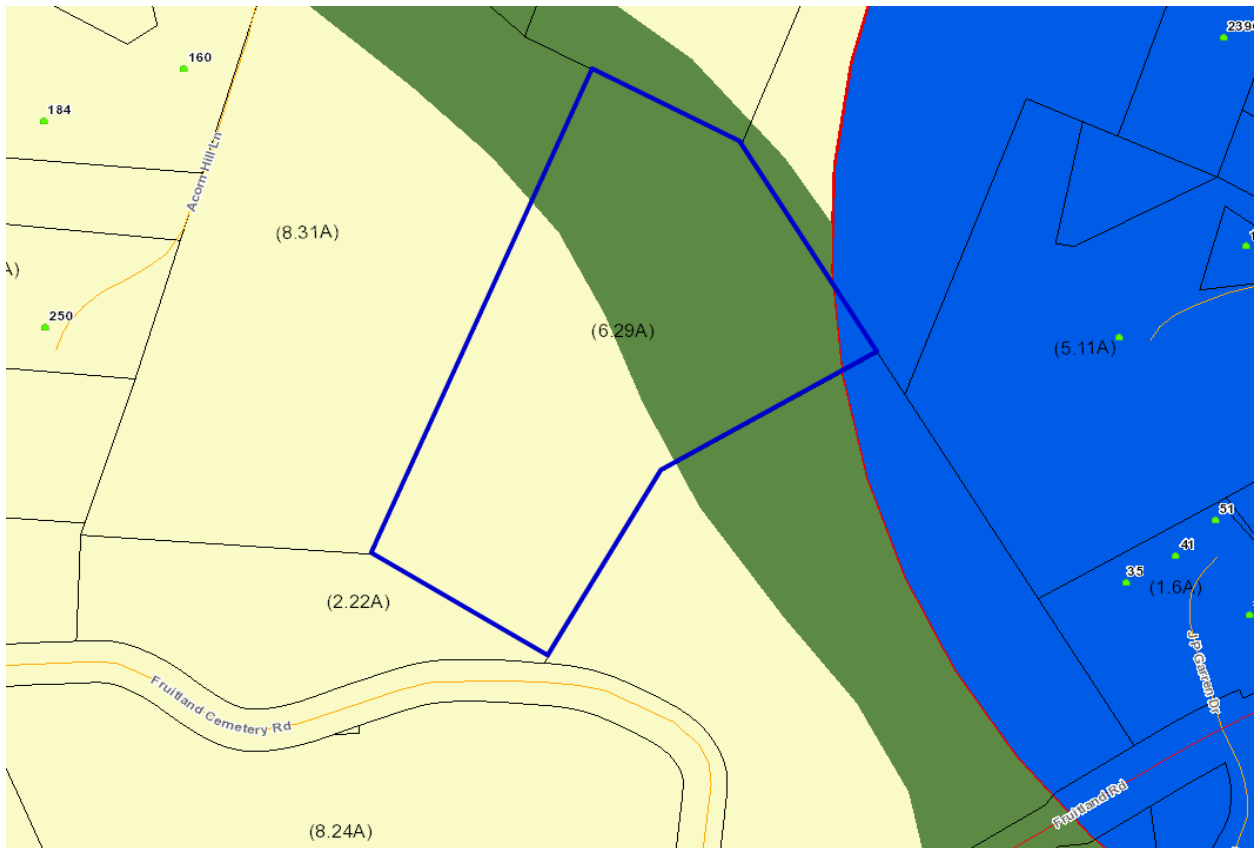
Map B: Current Zoning



3. Floodplain /Watershed Protection: The portion of the parcel being subdivided out will not be in special flood hazard area. The property is not in a Water Supply Watershed district.

4. Water and Sewer: None.

Map C: CCP Future Land Use Map



5. Staff Comments

The 2020 CCP: The CCP Future Land Use Map places the Subject Area in the Rural / Urban Transition Area (RTA). The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

Rural/Urban Transition Area: The CCP states that, “The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development. The text of the 2020 CCP suggests that the subject area would be suitable for clustering development and conservation design encouraged with the intent of maintaining a rural environment, protecting sensitive natural areas, and reserving land for future development. (2020 CCP, Pg. 134).

6. Staff Recommendations

Staff’s position at this time, under the guidelines of current plans, policies and studies, is to recommend approval of the major site plan because it is consistent with the current surrounding land uses and future land use recommendations.

7. Photographs







LETTERS
OF
THE
DEAD

PLAT OF SURVEY FOR
**THE JOSEPH E. GARRETT
 FAMILY CEMETERY**
 CLEAR CREEK TOWNSHIP
 HENDERSON COUNTY
 NORTH CAROLINA

FEBRUARY 7th, 2015

I, STACY KENT RHODES, a PROFESSIONAL LAND SURVEYOR, certify that this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.(G.S.47-30(f)(11)(a))

I, STACY KENT RHODES, a PROFESSIONAL LAND SURVEYOR, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book AS, Page SHOWNL); that the boundaries not surveyed are clearly indicated drawn from information found in Book AS, Page SHOWN; that the ratio of precision as calculated is 1/ 10,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal.
 this _____ day of _____, A.D. 20 ____.

PROFESSIONAL LAND SURVEYOR

State of North Carolina

County of _____, Review Officer of _____ County,

certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date _____ Signed _____
 Review Officer

I, _____, SUBDIVISION ADMINISTRATOR for Henderson Co., certify that this plat has been reviewed and approved as _____ in accordance with the

Henderson County Subdivision Ordinance.

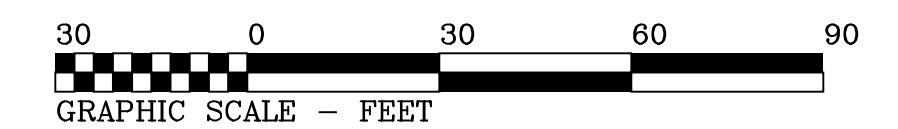
Date _____ Signed _____

REGISTER OF DEEDS

Filed for registration on the _____ day of _____

at _____ and recorded on plat slide _____

REGISTER OF DEEDS



SCALE 1" = 30'

JOSEPH E. GARRETT
 D.B. 1070 PG. 052 TRACT 2
 D.B. 604 PG. 933 TRACT 3
 9681-76-4181
 9681-74-6682

PLAT SLIDE 8736
 NORTH

J.B. LANCASTER
 D.B. 409, PG. 547

POINT AT CENTERLINE OF
 OF KYLES CREEK

TIE LINE
 N 24°00'16"E
 739.44'
 PASSING A 4" EIP ON LINE
 AT 114.63'

EIP

EIS
 AXLE
 CONTROL
 CORNER

**ADDITIONAL CEMETERY
 DEED REFERENCES:**

D.B. 56 PG. 228
 D.B. 206 PG. 303
 D.B. 231 PG. 094
 D.B. 259 PG. 003
 D.B. 365 PG. 585
 D.B. 384 PG. 117

THE LANNING-PITTILLO
 CEMETERY
 D.B. 1520, PG. 041
 PLAT SLIDE 8736
 9681-75-0716

PICNIC
 SHED

WELL

FENCE
 CORNER

JOSEPH E. GARRETT
 D.B. 1070 PG. 052 TRACT 2
 D.B. 604 PG. 933 TRACT 1
 D.B. 388 PG. 245
 D.B. 264 PG. 128

JOSEPH E. GARRETT
 D.B. 1070 PG. 052 TRACT 2
 D.B. 604 PG. 933 TRACT 2

1.00 ACRE+-
 BEING A PORTION OF
 D.B. 1070 PG. 052

CEMETERY ROAD
 R.O.W. WIDTH UNKNOWN

S.R. 1579
 EIP

TIE LINE
 S 71°04'49"E
 51.42'

47.62'
 EIP
 N 59°38'40"W

N 32°24'55"E
 8.00'

153.88'
 S 32°24'55"W

20'
 TYPICAL

245.25'
 N 57°35'05"W

S 57°35'05"E
 292.84'

S 57°35'05"E
 147.50'

N 32°24'59"E
 147.50'

S 57°35'05"E
 292.84'

NOTES:

1. AREAS DETERMINED BY COORDINATE COMPUTATION.
2. AREAS INCLUDE ANY AND ALL PORTIONS OF PROPERTY UNDER RIGHTS OF WAY AND OR EASEMENTS EITHER ACQUIRED OR CLAIMED.
3. THE TOTAL AREA OF THE JOSEPH E. GARRETT FAMILY CEMETERY IS 1.00 ACRES+-.
4. THERE IS A CAPACITY OF 650 SPACES AVAILABLE BASED ON A 4' BY 10' GRAVE PLOT.
5. THE SUBJECT PROPERTY IS CURRENTLY ZONED R2R BY HENDERSON COUNTY ZONING.
6. THE CURRENT OWNER OF RECORD IS JOSEPH E. GARRETT AS PER D.B. 1070 PG. 052.
7. THE PROPOSED FAMILY CEMETERY IS OVER 100' FROM ANY BUILDING STRUCTURE.
8. THE PROPOSED FAMILY CEMETERY IS OVER 100' FROM AN EXISTING VISABLE WELL.
9. THE PROPOSED FAMILY CEMETERY IS OVER 100' FROM THE HIGH WATER MARK OF ANY SPRING, STREAM, LAKE, RESERVOIR OR OTHER KNOWN SOURCE OF WATER. FURTHER, THE PROPOSED FAMILY CEMETERY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
10. THE PROPOSED FAMILY CEMETERY IS TO BE ENCLOSED BY A FENCE AT LEAST 4' IN HEIGHT AND CONSTRUCTED OF BARBED WIRE.
11. THE OWNER OF ANY PROPERTY WHICH CONTAINS ALL OR PART OF A FAMILY CEMETERY IS RESPONSIBLE FOR MAINTAINING THE FAMILY CEMETERY IN COMPLIANCE WITH LOCAL, STATE AND FEDERAL REGULATIONS.
12. THE PROPOSED FAMILY CEMETERY IS SUBJECT TO THE REQUIREMENTS SET FORTH IN N.C.G.S. 65-CEMETERIES.
13. MARKER: EACH CONTAINER OF HUMAN REMAINS SHALL BE BURIED BENEATH THE SURFACE OF THE GROUND AND SHALL BE INDICATED BY A PERMANENT VISIBLE MARKER OR MONUMENT. THE MARKER OR MONUMENT SHOULD BE MADE OF GRANITE OR BRONZE, MOUNTED ON AT LEAST A FOUR(4) INCH CONCRETE BASE AND HAVE A MINIMUM DIMENSION OF ONE(1) FOOT WIDE BY TWO(2) FEET TALL AND BE FOUR(4) INCHES THICK. THE MARKER SHOULD BE PLACED AS SOON AS PRACTICABLE AFTER THE REMAINS ARE INTERRED AND SHALL BEAR THE NAME, YEAR OF BIRTH AND YEAR OF DEATH OF THE DECEASED.

LEGEND

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

| | | |
|---|-----------------------|--|
| REFERENCES: DEED: D.B.1070, PG.052 | VICINITY MAP (N.T.S.) | SURVEY BY STACY KENT RHODES NC PLS 2959 |
| PLAT: PLAT SLIDE 8736 | | WAGGONER & RHODES LAND SURVEYORS, PLLC. NC FIRM #C-1129 |
| TAX ID REFERENCE: 9681-74-6682 9681-76-4181 | | 545 SOUTH GROVE STREET HENDERSONVILLE, NORTH CAROLINA 28792 PHONE: (828) 693-1022 FAX: (828) 693-4019 |
| SCREEN FILE: 15-012 | | |
| DWG FILE: 15-012A | | |
| REVISIONS: 2-24-2015 ADDITION OF NOTE 13 | | |
| DATE: FEBRUARY 3rd, 2015 | DRAWN BY: SKR/DKS | JOB NUMBER: 15-012 |