

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY

Technical Review Committee

MEETING DATE: March 7, 2017

SUBJECT: Major Site Plan for Maybin Family Cemetery located on Morgan Way off Bell Mountain Rd

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

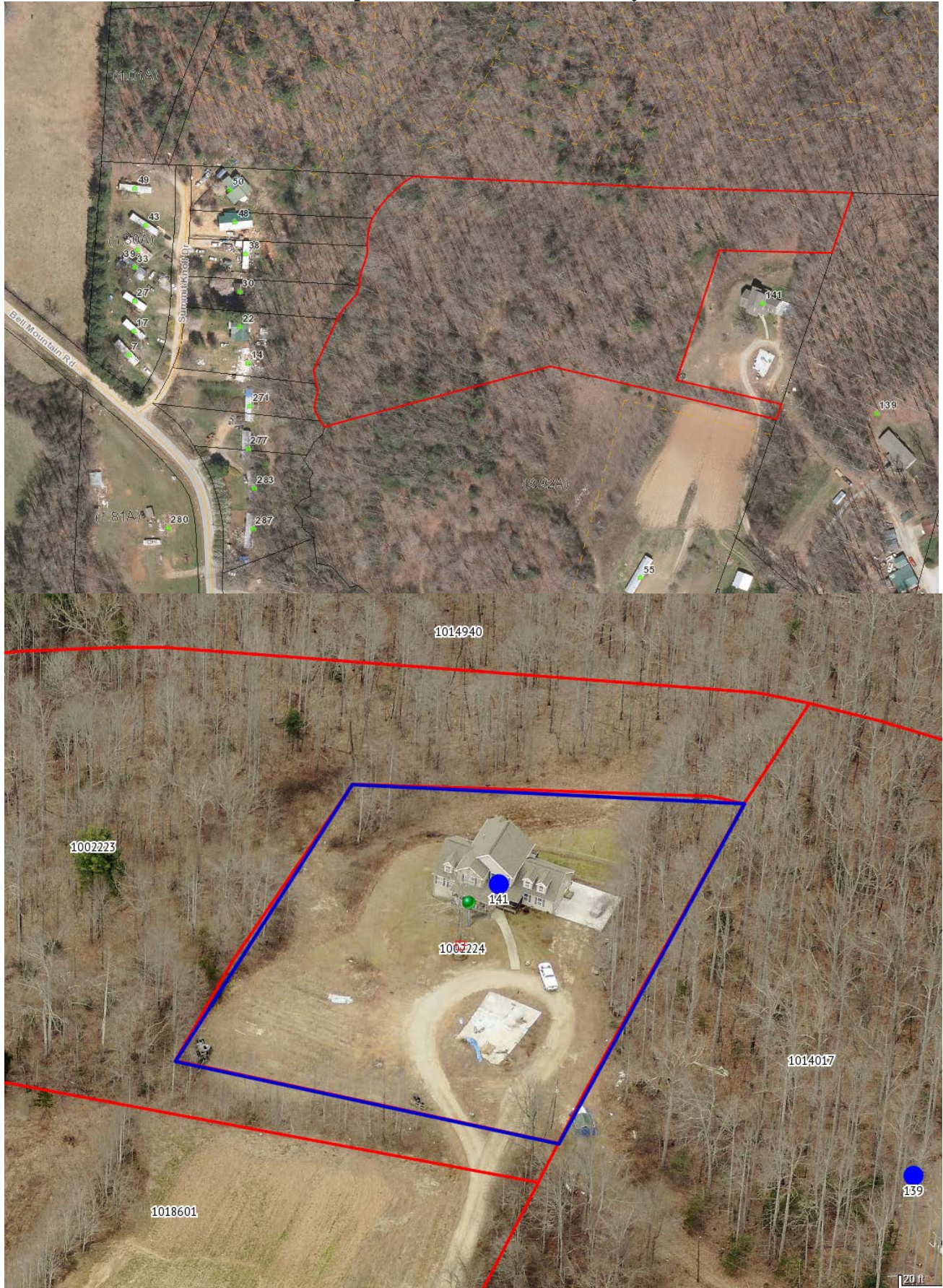
1. Board Request

- 1.1. **Applicant:** Grover Maybin-Beverly Hargus
- 1.2. **Request:** Major Site Plan Review for a family cemetery
- 1.3. **PIN:** 9575915300
- 1.4. **Size:** .04 acres +/-
- 1.5. **Location:** The subject area is located on Morgan Way off Bell Mountain Rd.
- 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



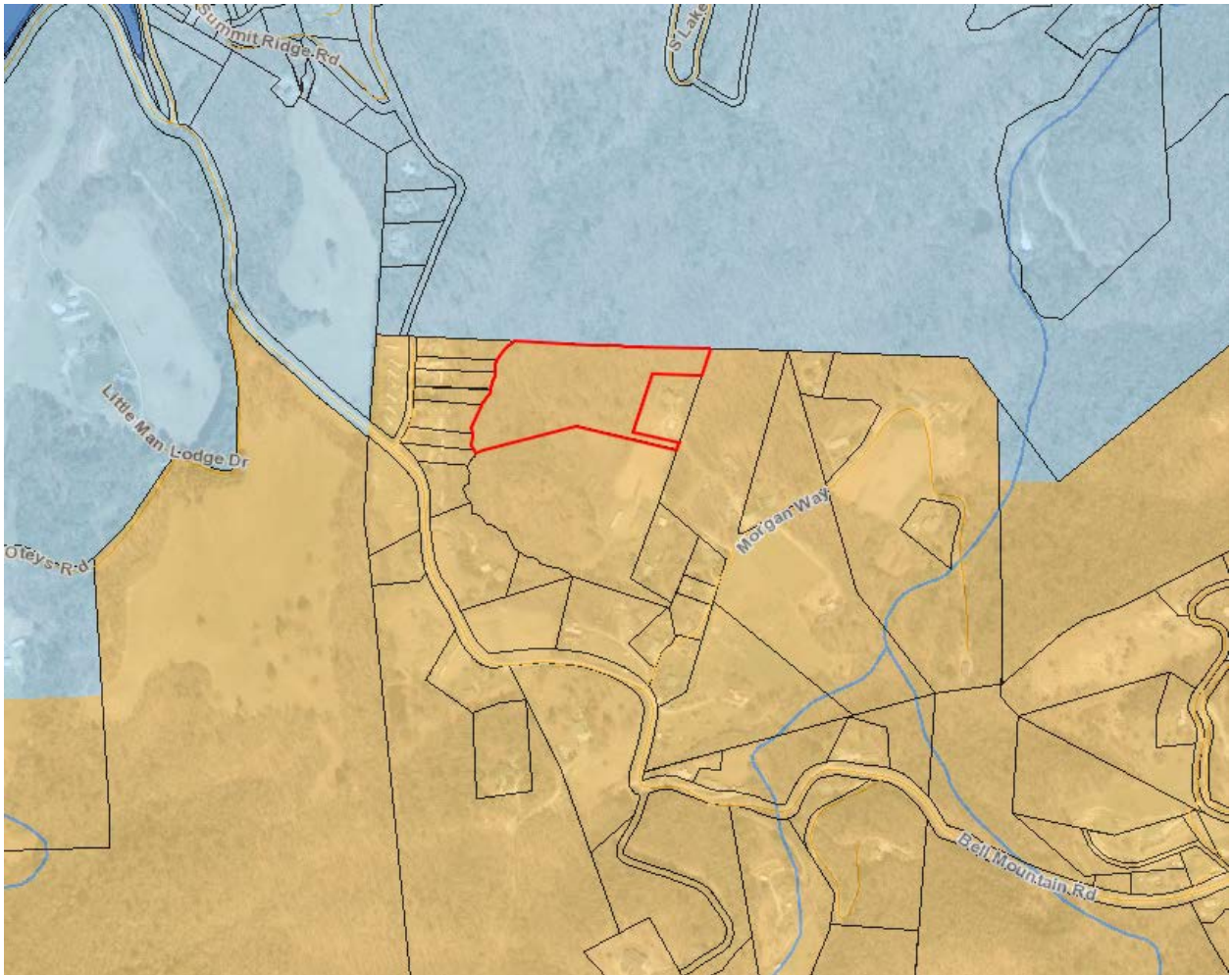
2. **Current Conditions**

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) and Waterfront Residential adjacent to Lake Summit.

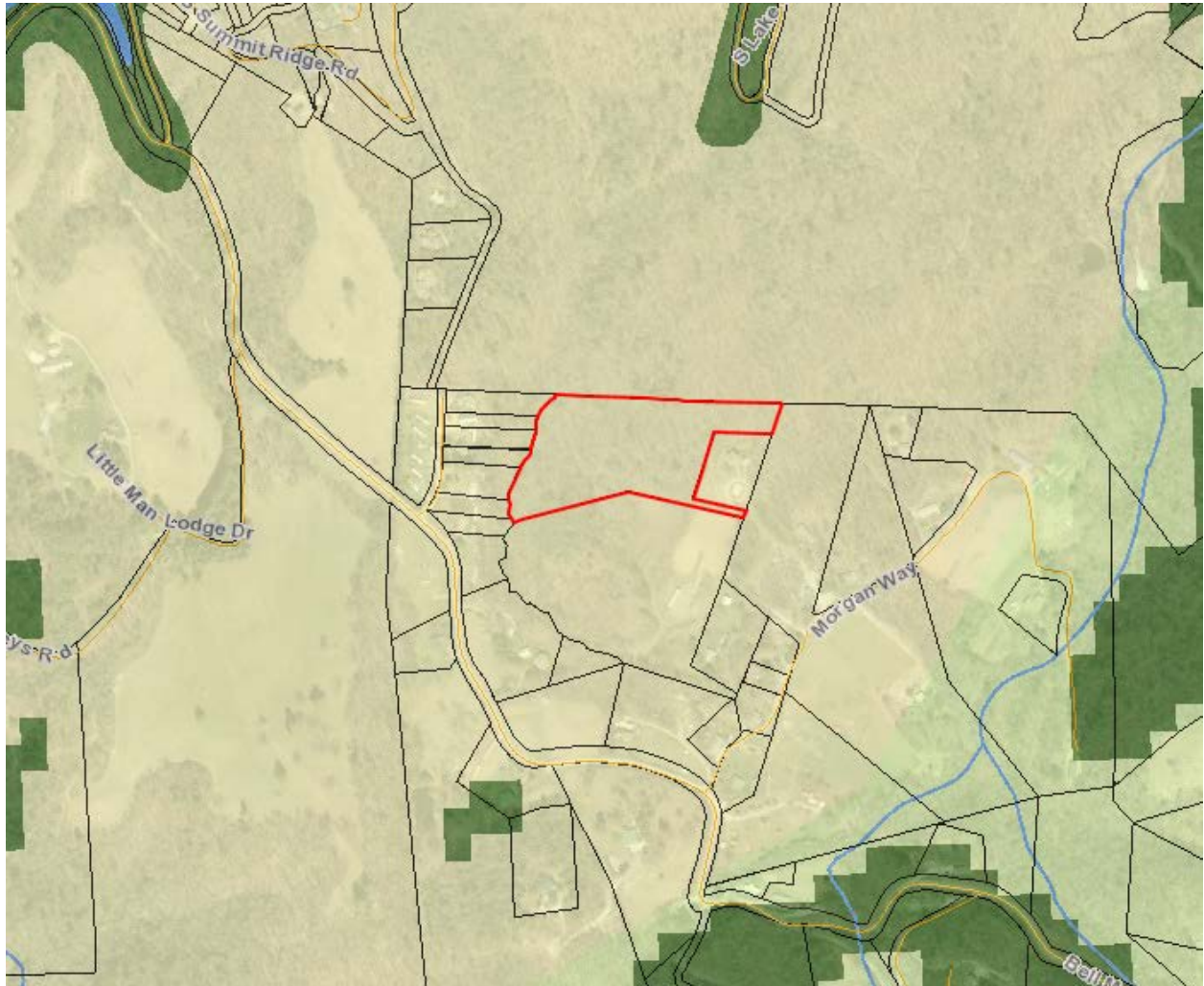
Map B: Current Zoning



3. **Floodplain /Watershed Protection:** The parcel is not 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. Site Plan

DEED NORTH
D.B. 650, PG. 293

PLAT OF CEMETERY SITE PLAN
FOR
GROVER L. MAYBIN

BEING A EXEMPT SUBDIVISION
OF THE PROPERTY DESCRIBE IN
DEED BOOK 652, PAGE 693

GREEN RIVER TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA
SCALE: 1" = 50'
FEBRUARY XXXX, 2017

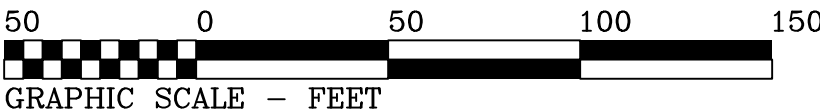
PROJECT DATA

-OWNER:
GROVER L. MAYBIN
35 MORGAN WAY
ZIRCONIA, NC 28790
(828)692-9532
-TAX NUMBER: 9575-91-5300
-ACREAGE: 6.17
-FIRE DISTRICT: GREEN RIVER
-ZONING DISTRICT: R2R
-WATER SHED: N/A
-FLOOD ZONE: "X" F.I.R.M. 3700957500J REVISED 10/2/2008
-PROJECT IS NOT WITHIN 1/2 MILE OF A FARMLAND PRESERVATION DISTRICT

PRELIMINARY

I, DAVID H. HILL, certify that this plat was drawn from an actual survey made under my supervision (deed description recorded in Book SEE, page REFERENCES;) that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, page SHOWN; that the ratio of precision as calculated is 1: 10000; that this plat meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56. 1600)
Witness my original signature, registration number and seal this XXXX day of FEBRUARY, A.D., 2017.

David H. Hill, NCPLS L-3863

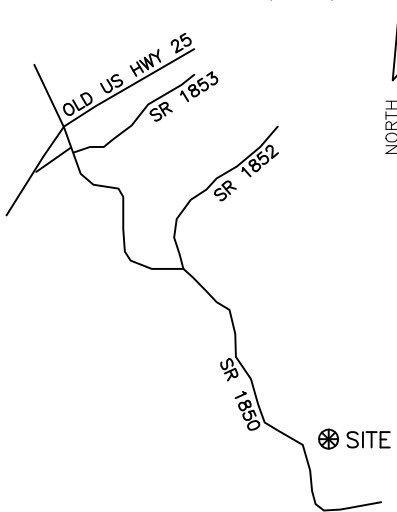


- NOTES:
- 1- AREAS BY COORDINATE COMPUTATION.
 - 2- ALL AREAS SHOWN ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD OR UNRECORDED THAT MAY DIRECTLY AFFECT ALL AREAS SHOWN.
 - 3- THIS PROPERTY IS LOCATED WITHIN AN AREA ZONED R2R BY HENDERSON COUNTY.
 - 4- THE CURRENT OWNER OF RECORD IS GROVER L. MAYBIN.

LEGEND

- ⊕ MONUMENT FOUND AS NOTED
○ MONUMENT SET AS NOTED
● POINT NOT STAKED
P-PED - PHONE PEDESTAL
UP - UTILITY POLE
PHP - PHONE POLE
TRANS - TRANSFORMER
TV-PED - CABLE TV PEDESTAL
WM - WATER METER
WV - WATER VALVE

LOCATION MAP (NTS)



DEED REFERENCES:
AS SHOWN

TAX REFERENCES:
AS SHOWN

PARTY CHIEF: DHH

REVISIONS:

SURVEY BY
HILL AND ASSOCIATES
SURVEYORS, P.A.

LICENSE NUMBER: C-1991

DAVID H. HILL
N.C.P.L.S. 3863

403 WEST BLUE RIDGE ROAD
EAST FLAT ROCK, NORTH CAROLINA 28726
(828) 693-1409

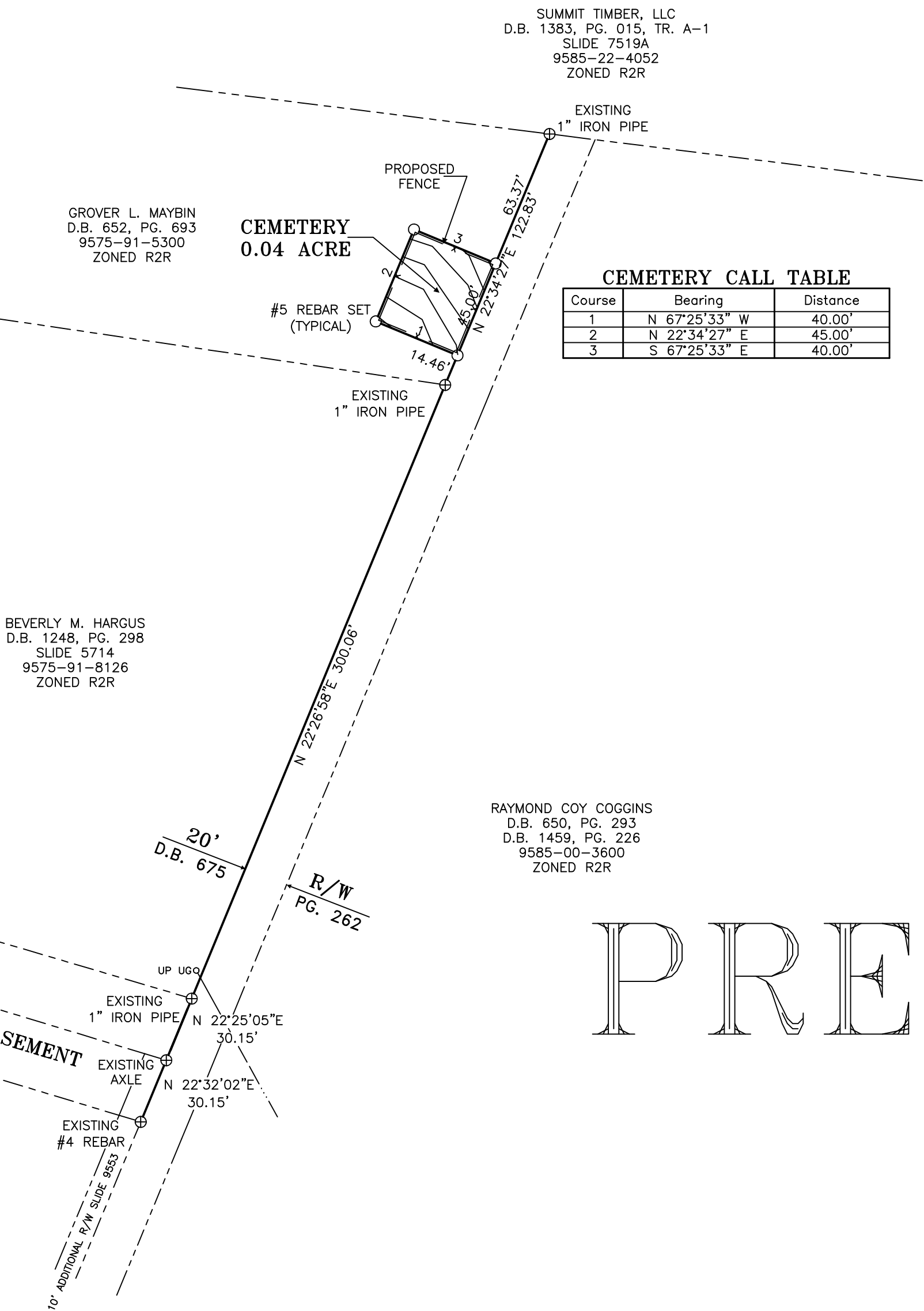
CHECKED BY: DHH

DRAWING: 2014075CEMTSP

DATE: FEBRUARY XXXX, 2017

DRAWN BY: DHH

FILE: 2014075



CEMETERY CALL TABLE		
Course	Bearing	Distance
1	N 67°25'33" W	40.00'
2	N 22°34'27" E	45.00'
3	S 67°25'33" E	40.00'