

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

**MEETING DATE:** June 24, 2015

**SUBJECT:** Major Site Plan Review for SUP 15-02, motor vehicle sales and leasing for Steven Galloway located at 3771 Brevard Road

**PRESENTER:** Toby Linville, Code Enforcement Director

**ATTACHMENTS:**

1. Staff Report
2. Photographs
3. Site Plan

**SUMMARY OF REQUEST:**

The applicants are requesting a Special Use Permit to allow them to use this property as Motor Vehicle Sales or Leasing.

Staff requests that the ZBA review the application and make a decision based on evidence presented for this project.

**Suggested Motion:**

**I move to approve SUP-15-02 for Motor Vehicle Sales or Leasing for Steven Galloway with the following conditions:**

- **Meet requirements of SR 7.10**

**The use will:**

- a) **Not materially endanger the public health, safety or welfare because the owners reside on the property and will monitor its use;**
- b) **Not substantially injure the value of the property or improvements in the area because the use will be rural in nature; and**
- c) **Be in harmony with the surrounding area because it will be rural and residential in nature.**



## Henderson County, North Carolina Code Enforcement Services

### 1. Board Request

- 1.1. **Applicant:** Steven Galloway
- 1.2. **Request:** Major Site Plan Review for motor vehicle sales and leasing
- 1.3. **PIN:** 9549-18-7705
- 1.4. **Size:** 0.49 acres +/-
- 1.5. **Location:** The subject area is located at 3771 Brevard Road
- 1.6. **Supplemental Requirements:**

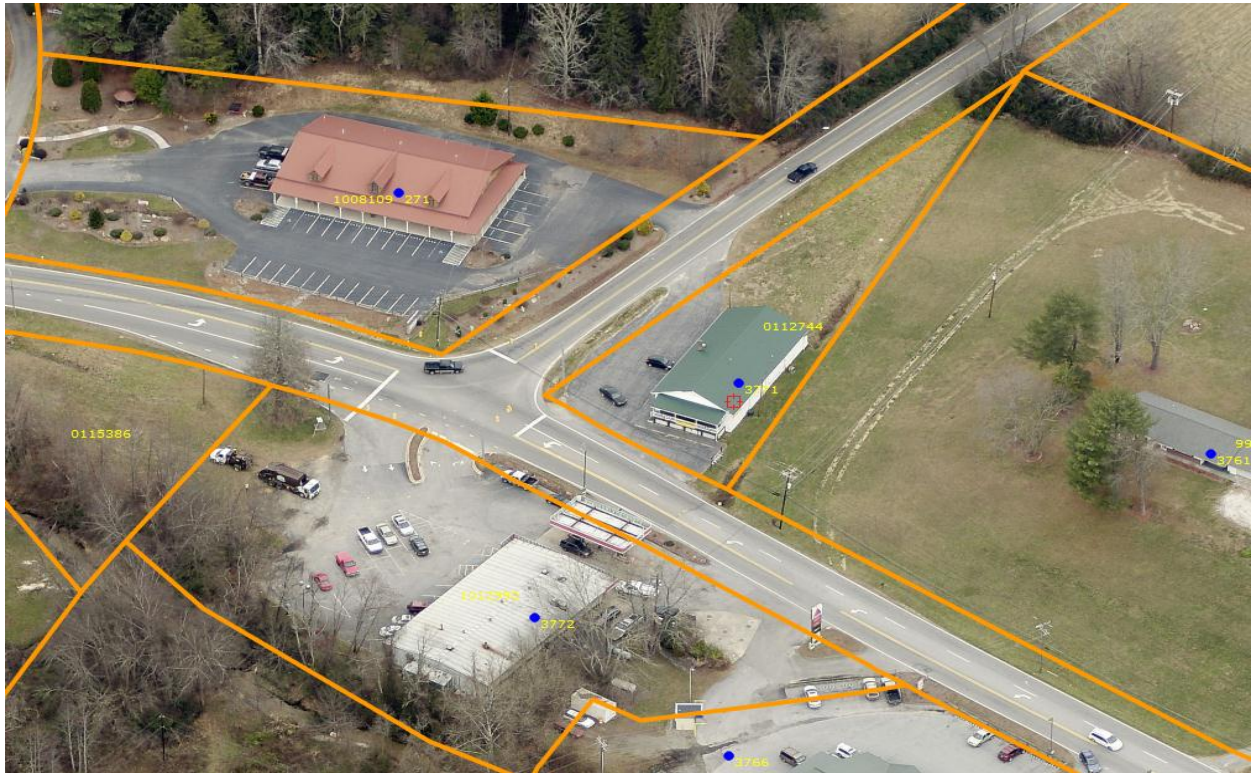
### SR 7.10. Motor Vehicle Sales or Leasing (Including automobile, motorcycle, boat and recreational sales and rental cars)

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved roads, *travel ways* and/or parking areas shall be treated to prevent dust from adverse effects to adjacent properties.

### Map A: Aerial Photo/Pictometry







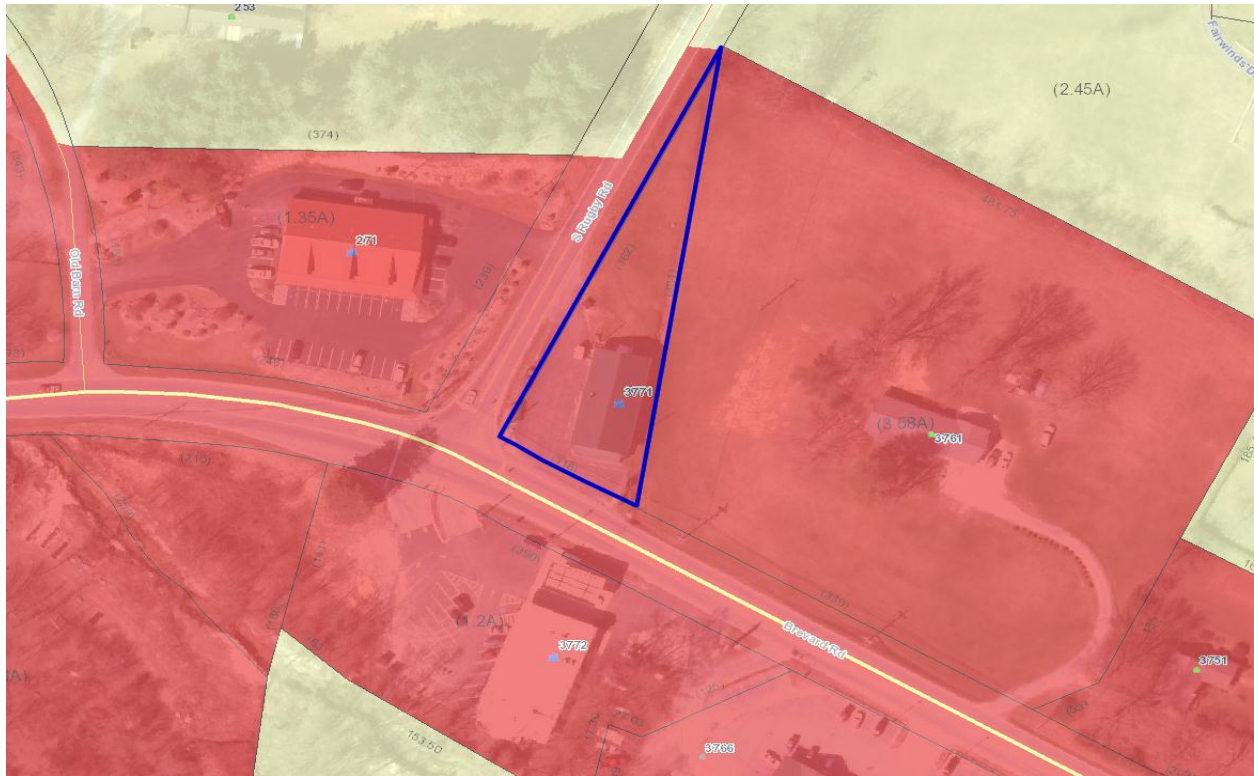
**2. Current Conditions**

**2.1 Current Use:** This parcel is currently commercial use.

**2.2 Adjacent Area Uses:** The surrounding properties consist of residential and commercial uses.

**2.3 Zoning:** The surrounding properties to the north and northwest are zoned Residential 2 (R2) and to the south, east, and west are zoned Community Commercial (CC).

**Map B: Current Zoning**



3. **Floodplain /Watershed Protection:** The property is not located in a Special Flood Hazard Area. The parcel is in the Upper French Broad River WS-IV Protected Area Water Supply Watershed district.
4. **Water and Sewer:** This property will be served by public utilities.  
**Public Water:** City of Hendersonville  
**Public Sewer:** City of Hendersonville

**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 Community Service Center Area. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:
  1. Community Service Centers are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas. Community Service Centers are appropriate for a mixture of commercial uses scaled to the service area in question; residential uses of varying densities depending upon available services; and Community Facilities such as schools, parks, community centers, and other similar Community Facilities. The mixture and intensity of land uses contained within Community Service Centers are intended to be appropriate within the context of the surrounding community and intended service area. Community Service Centers should also be properly controlled by appropriate aesthetic standards, access management standards, and other appropriate development control measures.
6. **Staff Recommendations**  
The Technical Review Committee voted to recommend approval of the project to the Board of Adjustment and approved the site plan for the project with the following conditions: obtain NCDOT driveway permit and do not increase impervious surfaces.
7. **Photographs**



HENDERSON COUNTY  
SPECIAL USE PERMIT APPLICATION FORM

Application No. SJP 15-02

GENERAL INFORMATION

Date of Application: 5/19/15  
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: Motor Vehicle Sales & Leasing SR #: 7.10  
Existing Structures or Uses on property: Yes Existing structure / Retail

N/A Road System (Circle):  Public  Private BREVARD RD  
N/A Water System (Circle): Individual  Community  Public (Municipal or County)  
N/A 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

3771 Brevard Rd  
PIN: 9549-18-7705 Deed Book/Page: 603/755 Tract Size (Acres): 0.49  
Zoning District: CC Fire District: \_\_\_\_\_ Watershed: \_\_\_\_\_ Floodplain: zone X  
Location of property to be developed: Intersection of S. Rugby Rd and HWY 64

CONTACT INFORMATION

Property Owner:

Name: Rolla E & Mary Rogers Phone: 828-692-2748  
Address: P.O. Box 1330 City, State, and Zip: Flyt Rock NC 28781

Applicant:

Name: Steven Galloway Phone: 828-577-9129

Address: P.O. Box 207 City, State, and Zip: Cedar Mt Nc 28718 Application No. \_\_\_\_\_

Agent:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City, State, and Zip: \_\_\_\_\_  
Agent Form (Circle One): Yes No

Plan Preparer:

Name: Marvin Mercer, PE Phone: 828-645-7098  
Address: P.O. Box 1516 City, State, and Zip: Weaverille, NC 28787

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 use will not materially endanger the public health, safety or welfare  
All leased vehicles will be contained on property in a safe manner.

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

This use will not injure the value of property in the area.  
The proposed use is commercial and the existing use is commercial. The adjacent properties are like use zoning.

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

This use is in harmony with the surrounding area  
The adjacent properties are same zoning and like use.

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.

complies with local state & federal code

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.



- 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.

shown on site plan

- 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.

shown on site plan

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).

shown on plan

- b. Off-street parking and loading areas.

shown on plan

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

utilities are existing

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

N/A

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

shown on plan

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

x Steven Galloway  
Print Applicant (Owner or Agent)

x Steve Galloway  
Signature Applicant (Owner or Agent)

x 05/19/75  
Date

County Use Only

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

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

Community Planning Area: \_\_\_\_\_





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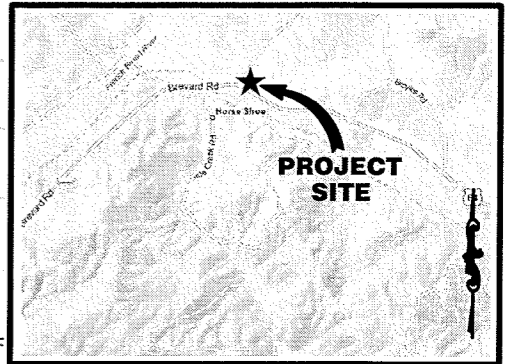
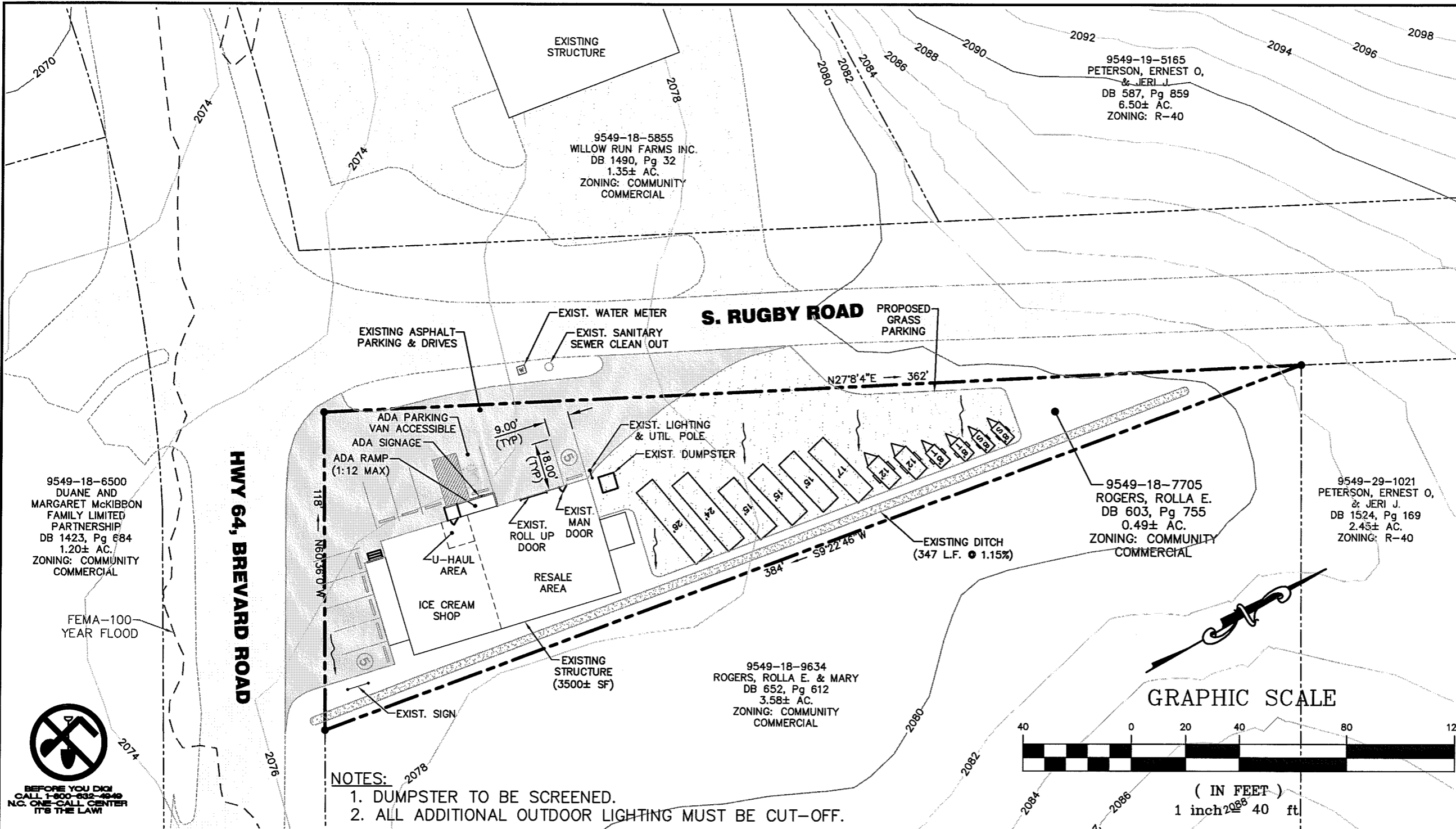


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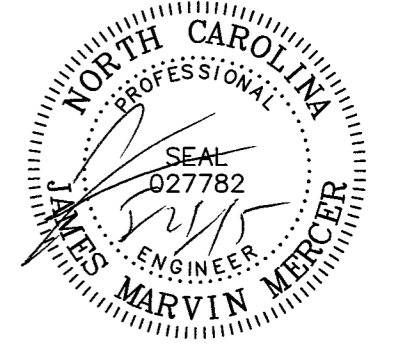
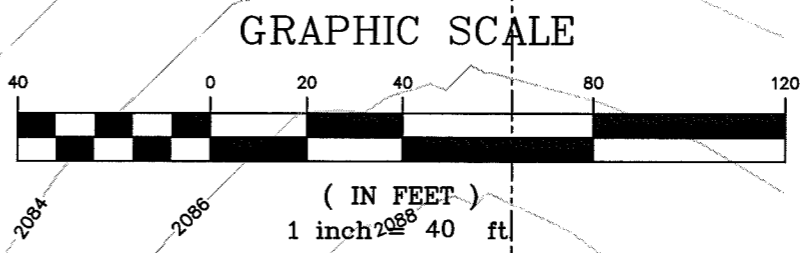




**VICINITY MAP**  
Not To Scale

**PROJECT DATA**  
 PROJECT: U-HAUL, HWY 64 ETOWAH  
 DEVELOPER/FINANCIALLY RESPONSIBLE PARTY: ROLLA ROGERS, PO BOX 1330, FLAT ROCK, NC 28731  
 CONTACT: STEVEN GALLOWAY  
 CONTACT NUMBER: (828) 577-7980  
 PROJECT PIN: 9549-18-7705  
 DEED BOOK: 603, Pg 755  
 ENGINEER: MERCER DESIGN GROUP, PC, P.O. BOX 1516, 205 FLAT CREEK VILLAGE DRIVE, WEAVERVILLE, NC 28787, 828-645-7088

**SITE DATA**  
 FLOOD CLASSIFICATION... FEMA PANEL: 3700954900J, EFFECTIVE DATE: 10/02/2008, NOT IN FLOOD ZONE-  
 CURRENT ZONING: COMMUNITY COMMERCIAL  
 SITE ACREAGE: 0.49 AC  
 EXISTING IMPERVIOUS AREA: 0.28 AC. (12,028 SF)  
 PROPOSED NEW IMPERVIOUS: 0  
 PROJECT IN 'WSIV' WATER SUPPLY/WATERSHED DISTRICT



- NOTES:**
1. DUMPSTER TO BE SCREENED.
  2. ALL ADDITIONAL OUTDOOR LIGHTING MUST BE CUT-OFF.

Sheet No:  
**C2**  
Sheet of  
Project No:  
**15-083**

**U-HAUL SITE PLAN**  
HWY 64, ETOWAH  
 HENDERSON COUNTY ETOWAH, NORTH CAROLINA  
 DRAWING TITLE:  
**SITE PLAN**

**MDG**  
 ENGINEERING EXCELLENCE  
 CIVIL ENGINEERING . STRUCTURAL ENGINEERING  
 MUNICIPAL INFRASTRUCTURE . CONSTRUCTION ADMINISTRATION  
 P.O. BOX 1516  
 WEAVERVILLE, NORTH CAROLINA 28787  
 P: 828.645.7088  
 F: 828.645.7714  
 info@mdgeng.com / www.mdgeng.com

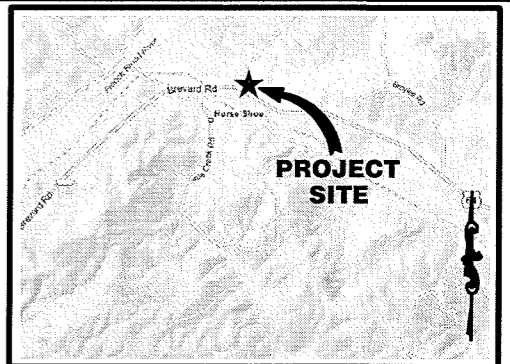
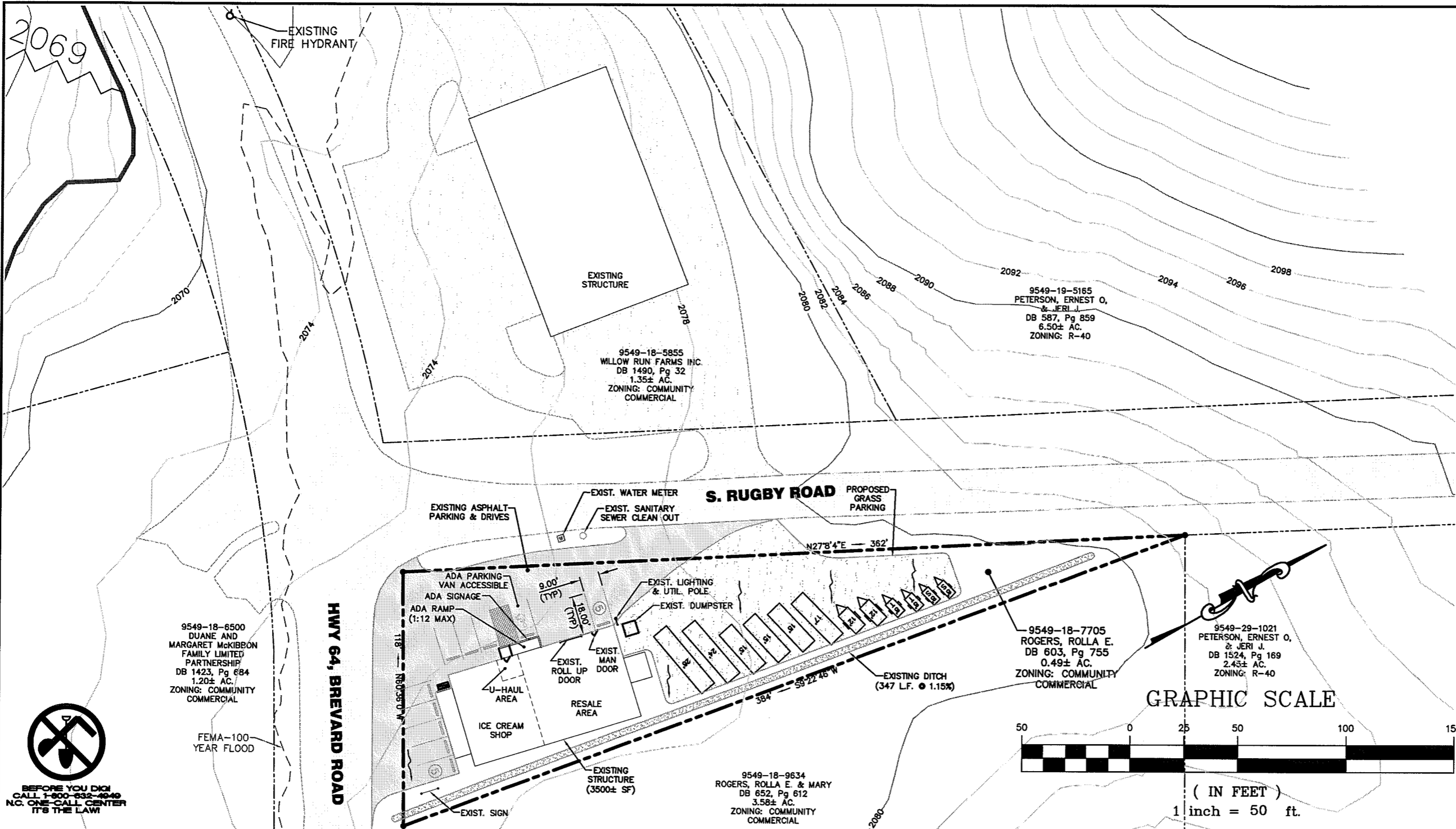
Designed: JMM  
 Graphics: MDG  
 Checked: JMM  
 Reviewed: JMM  
 Scale: 1"=40'  
 Date: 5-14-15

NO.	REVISIONS/SUBMISSIONS	DATE

PRINT DATE BELOW



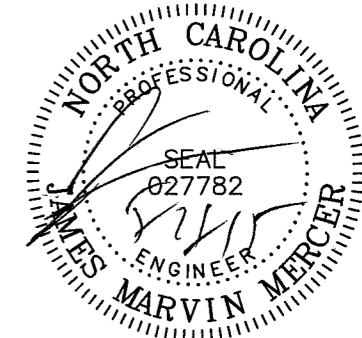
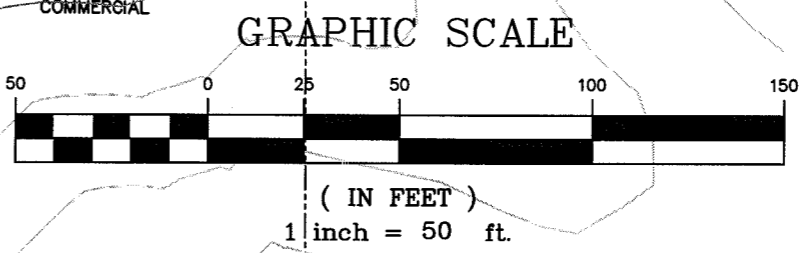




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Sheet No :  
**C3**  
Sheet of  
Project No:  
**15-083**

**U-HAUL SITE PLAN**  
HWY 64, ETOWAH  
 HENDERSON COUNTY ETOWAH, NORTH CAROLINA  
 DRAWING TITLE:  
**EXIST UTILITY LOCATION PLAN**

**MDG**  
 ENGINEERING EXCELLENCE  
 CIVIL ENGINEERING · STRUCTURAL ENGINEERING  
 MUNICIPAL INFRASTRUCTURE · CONSTRUCTION ADMINISTRATION  
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 F: 828 645 7714  
 info@mdgeng.com / www.mdgeng.com

Designed: JMM  
 Graphics: MDG  
 Checked: JMM  
 Reviewed: JMM  
 Scale: 1"=50'  
 Date: 5-14-15

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