

**HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

GENERAL INFORMATION

Date of Application: 10-12-12

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: _____ SR #: _____

Existing Structures or Uses on property: Home

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: 9557203215000 Deed Book/Page: 1035/166 Tract Size (Acres): 1.77

Zoning District: R40 Fire District: Valley Hill Watershed: NA Floodplain: _____

Location of property to be developed: _____

CONTACT INFORMATION

Property Owner:

Name: Rod & Brenda Johnson Phone: (828) 697-2001

Address: 54 Karnauga Falls Ln City, State, and Zip: Hendersonville, NC 28739

Applicant:

Name: Rod & Brenda Johnson Phone: (828) 697-2001

Address: 54 Kanuga Falls Ln City, State, and Zip: Hendersonville, NC 28739 Application No. _____

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 subject property is a residence with a home office. My wife takes care of the office, I am a home inspector since 1998. In addition to Home Inspections we fix radon gas in homes in H'VILLE. I have one individual that assists me on home inspections + radon. A typical day, I leave home @ 8:00 AM + will return in the afternoon.
- B. General Requirement #2. The use will not substantially injure the value of property or improvements in the area.
We have (2) small trailers that I occasionally use, they are towed behind my pick up truck. I will use one or the other trailer once or twice every two or three weeks. In addition I have a service van (for radon work) that is used for radon installs. This vehicle is used two-to-four times a week, we usually leave around 8:00 AM + will return in the afternoon.
- C. General Requirement #3. The use will be in harmony with the surrounding area.
Again this is a primary residence with manicured lawns + shrubbery. We have absolutely no customer traffic. Our residence is in a wooded setting with no other visible residences. The service van + 2 trailers are parked below my residence + can not be seen from our service road.

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 subject home is our residence with an in-home office.
- 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 subject home is a residence, there will be no other buildings built on this property. Because of the nature of our business, we have no plans to increase the size of our business with vehicles or employees.

- 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.

We have a gravel drive with a neighbor to the east. I maintain and have always maintained the gravel drive for the past 11 years. The driveway has always had 3/8" stone to prevent dust.

- 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.

There are no environmental impacts as the subject home is our residence.

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).

There are no safety issues as we do not have any customer traffic, we drive a pickup truck & a van.

- * b. Off-street parking and loading areas.

We do not receive or have had any trucks to deliver products or materials to our home. As of the past 4 months all vehicles/trailer are parked below the home and out of sight.

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

This is a residential home with typical well & septic tank.

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

Our property has been meticulously maintained with regards to lawn & shrubbery.

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

The only structure on the subject property is our residence.

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

Rod and Brenda Johnson

Print Applicant (Owner or Agent)

Rod Johnson Brenda Johnson

Signature Applicant (Owner or Agent)

10-12

4-20-12

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: _____



request an inspection

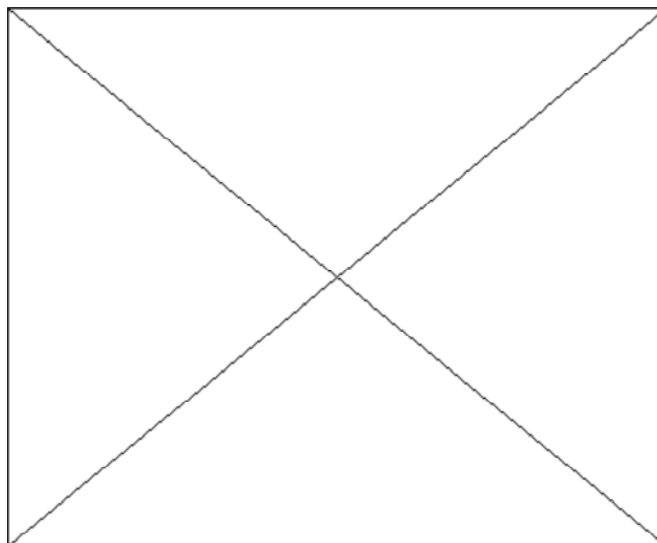
HomeTeam of Henderson and Buncombe Counties
Phone: 828 697-2001

The Highest Quality Inspection is a *TEAM* Effort

Proudly serving Buncombe, Henderson, Polk & Transylvania Counties, North Carolina

The HomeTeam Inspection Service is the professional leader in home inspections. A 90-day home warranty and errors and omissions insurance is included on every home inspection. We separate ourselves from other home inspectors, as we will come to your property with a team of qualified inspectors including a licensed HVAC contractor. Trust the leading home inspection company in Western North Carolina.

The HomeTeam Inspection Service will do a thorough house inspection, as well as a full introduction to your new home, both verbal and written. If you need inspections for Radon, Water, Septic, Termite and other Wood Destroying Insects, we can schedule that inspection for you. With HomeTeam, One Call Does It All!



Experience

- Rod spent over 20 years in the construction and management business. During that 20 year period he was involved in home and commercial construction in North Carolina. This passion for construction evolved into a full time home inspection business in 1998.

Affiliations

- American Association of Radon Scientists and Technologists
- The Better Business Bureau of Asheville / Western North Carolina
- Hendersonville Board of Realtors Member

Certifications

- ASHI (American Society of Home Inspectors) #205203
- North Carolina General Contractor #41107
- North Carolina Licensed Home Inspector #913
- NEHA (National Environmental Health Association) Certified Radon Testing #102458RT
- NEHA Certified Radon Mitigation #102459RMT
- NEHA Speaker's Bureau Member

Rod Johnson
Brenda Johnson
Hendersonville, NC 28793
ht299@hometeaminspection.com

- about us
- for home buyers
- for home owners
- for home sellers
- for real estate professionals
- our services
- the difference
- contact us
- request inspection**



Check our Reviews on [Angie's List](#)



Staff Report: SUP 12-05
Johnson Home Occupation

REQUEST FOR COMMITTEE ACTION
HENDERSON COUNTY
ZONING BOARD OF ADJUSTMENT

MEETING DATE: November 28, 2012

SUBJECT: Special Use Permit Application (SUP-12-05) for a Home Occupation-54 Kanuga Falls Lane

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 their home as an office for a Home Inspection business.

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/deny/table application SUP-12-05 for Johnson Home Occupation because the use will/not

- a. Materially endanger the public health, safety or welfare;**
- b. Substantially injure the value of property or improvements in the area; and**
- c. Be in harmony with the surrounding area.**

I further add the following conditions:



Henderson County, North Carolina Code Enforcement Services

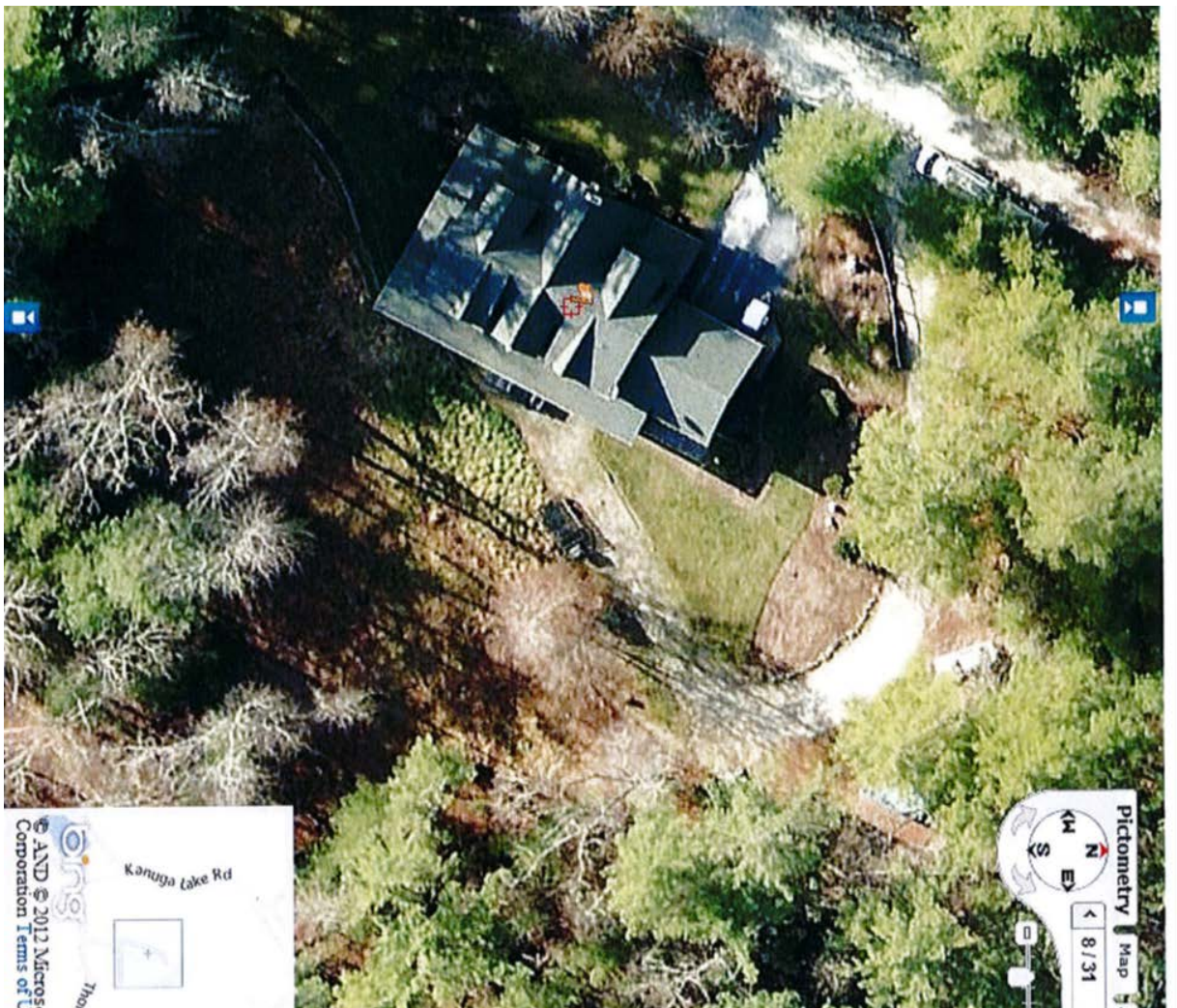
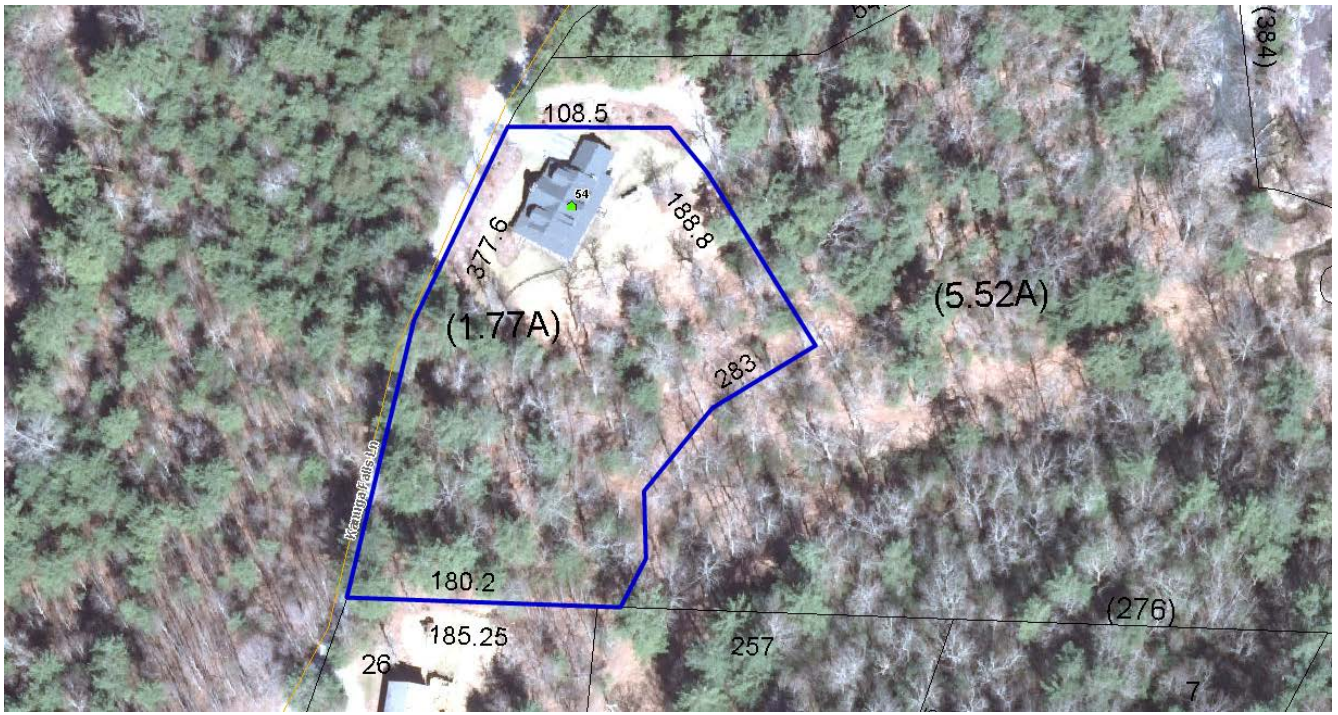
1. **Board Request**

- 1.1. **Applicant:** Rod and Brenda Johnson
- 1.2. **Request:** Special Use Permit
- 1.3. **PIN:** 9557-20-3215
- 1.4. **Size:** 1.77 acres +/-
- 1.5. **Location:** The subject area is located at 54 Kanuga Falls Lane.
- 1.6. **Supplemental Requirements:**

SR 2.8 Home Occupation General

- (1) Site Plan. A home occupation shall require the submittal of a minor site plan only if the home occupation requires the:
 - a. Building of an accessory structure to house the occupation;
 - b. Building of outdoor play areas as required for in-home childcare facilities;
 - c. Placement of additional parking; and/or
 - d. Need for outdoor storage.
- (2) Development Size Restrictions. A *home occupation* shall either:
 - a. Take up no more than 25 percent of the *gross floor area* of the principal dwelling; or
 - b. *Be housed completely in one (1) accessory structure* (with the exception of any *outdoor storage* requirements).
- (3) Retention of Residential Character. A home occupation shall be:
 - a. Conducted entirely within the principal dwelling or one (1) *accessory structure*; and
 - b. Clearly incidental and secondary to the *use* of the dwelling or *structure* for residential purposes.
- (4) Operations. A *home occupation* shall:
 - a. Be conducted by a resident of the principal dwelling;
 - b. Engage no more than two (2) on-site employees (Other than those residing in the home) in the occupation;
 - c. Not incorporate on-premise retail sales as the primary function of the *home occupation*; and
 - d. Not involve equipment or processes used that shall create noise, vibration, glare, fumes, odor or electrical interference off the premises.
- (5) Parking. A *home occupation* generating any additional need for parking shall:
 - a. Meet any additional parking needs off-street (but not in the required *front yard*); and
 - b. Be permitted a maximum of two (2) additional standard parking spaces and one (1) handicapped parking space.
- (6) Outdoor Storage. A *home occupation* which requires *outdoor storage* shall:
 - a. Identify the storage requirements at the time of permit application;
 - b. Locate the storage in the rear yard (not in the *front* or side yard);
 - c. Cover no more than 10 percent of the property on which the *home occupation* *is located with outdoor storage*; and
 - d. Adhere to any additional standards for *outdoor storage*.

Map A: Aerial Photo/Pictometry



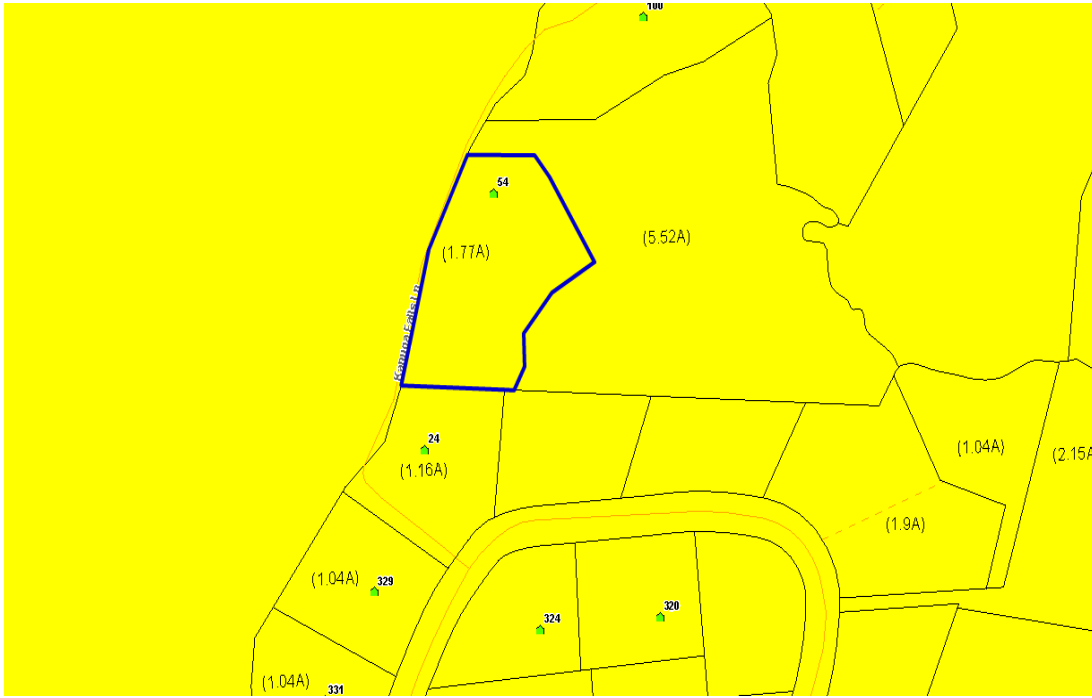
2. Current Conditions

2.1 Current Use: This parcel is currently in residential use and the home occupation is operational.

2.2 Adjacent Area Uses: The surrounding properties consist of residential and undeveloped land. The southern area of this property is primarily an established residential development.

2.3 Zoning: The surrounding property to the north, east, west, and south is zoned R-40.

Map B: Current Zoning



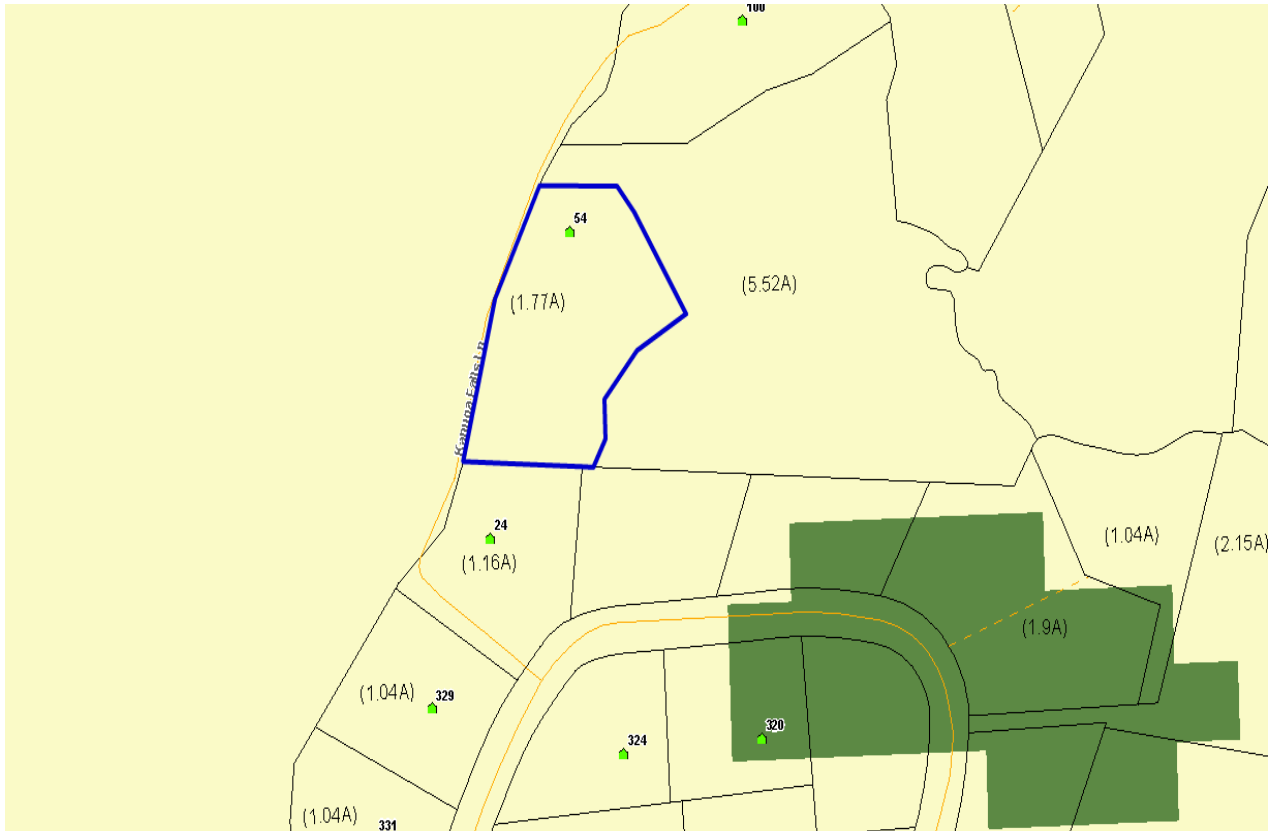
3. Floodplain /Watershed Protection The property is not located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.

4. Water and Sewer Private well and septic system serve this property.

Public Water: Public water is not available for this property.

Public Sewer: Public sewer is not available for this property.

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 classification (RTA). The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

1. The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development. Slopes vary across the RTA, although the area can be considered to be generally developable. The primary factor preventing urban development in the RTA is the absence of sewer and water service. The RTA will continue to experience extensive development over the operational timeframe of this Comprehensive Plan.
2. Population and residential densities should be generally lower than the more urban population densities found within the USA and should be generally in keeping with topography, septic limitations, and school and transportation capacities. Land development ordinances in the RTA should strive for a *general, average* density of 5 or fewer acres per residential dwelling unit. Actual densities as defined by zoning requirements should vary across the RTA according to constraints and community characteristics.

6. Staff Recommendations

6.1 The Henderson County Technical Review Committee approved the site plan and recommended approval for this project. Staff recommends a condition that there be no parking along Kanuga Falls Ln.

7. Photographs Looking N along Kanuga Falls Rd.



Looking S along Kanuga Falls Rd



Looking into property



REFERENCES, INC.
PG. 539
40

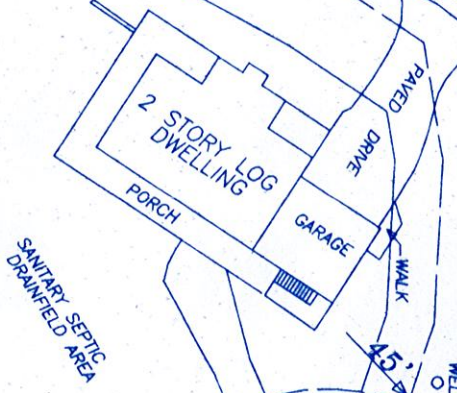
EXISTING
PRIVATE

KANUGA FALLS LANE

BUILDING SETBACK LINE

1.74 ACRES +-

30'
R.O.W.



GRAVEL DRIVE

R.O.W.

UNDERGROUND PROPANE TANK

R = 50'

MATTHEW G. HENRY
D.B. 1212 PG. 702
R-40

WS TUXEDO HOLDING
COMPANY, LLC
D.B. 1449 PG. 396
R-40

TODD R. TADSEN
D.B. 1339 PG. 456
R-40

THOMAS & THOMAS, INC.
D.B. 578 PG. 581
R-40



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