

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

**MEETING: October 26, 2016**

**SUBJECT: SUP-16-05**

**PRESENTER: Toby Linville**

**ATTACHMENTS: Staff Report**

**SUMMARY OF REQUEST: Special Use Permit for an Office**

**SUGGESTED MOTIONS:**

I move to approve SUP-16-05 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.



## Henderson County, North Carolina Code Enforcement Services

### 1. Committee Request

- 1.1. **Applicant:** Josh Smartt
- 1.2. **Request:** Major Site Plan Review
- 1.3. **PIN:** 9528624876
- 1.4. **Size:** 8.43 acres +/-
- 1.5. **Location:** Pleasant Grove Rd west of Pleasant Grove Church Rd
- 1.6. **Supplemental Requirements:**

#### **SR 6.9. Office: *Business, Professional and Public***

- (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

**Map A: Pictometry/Aerial Photography**

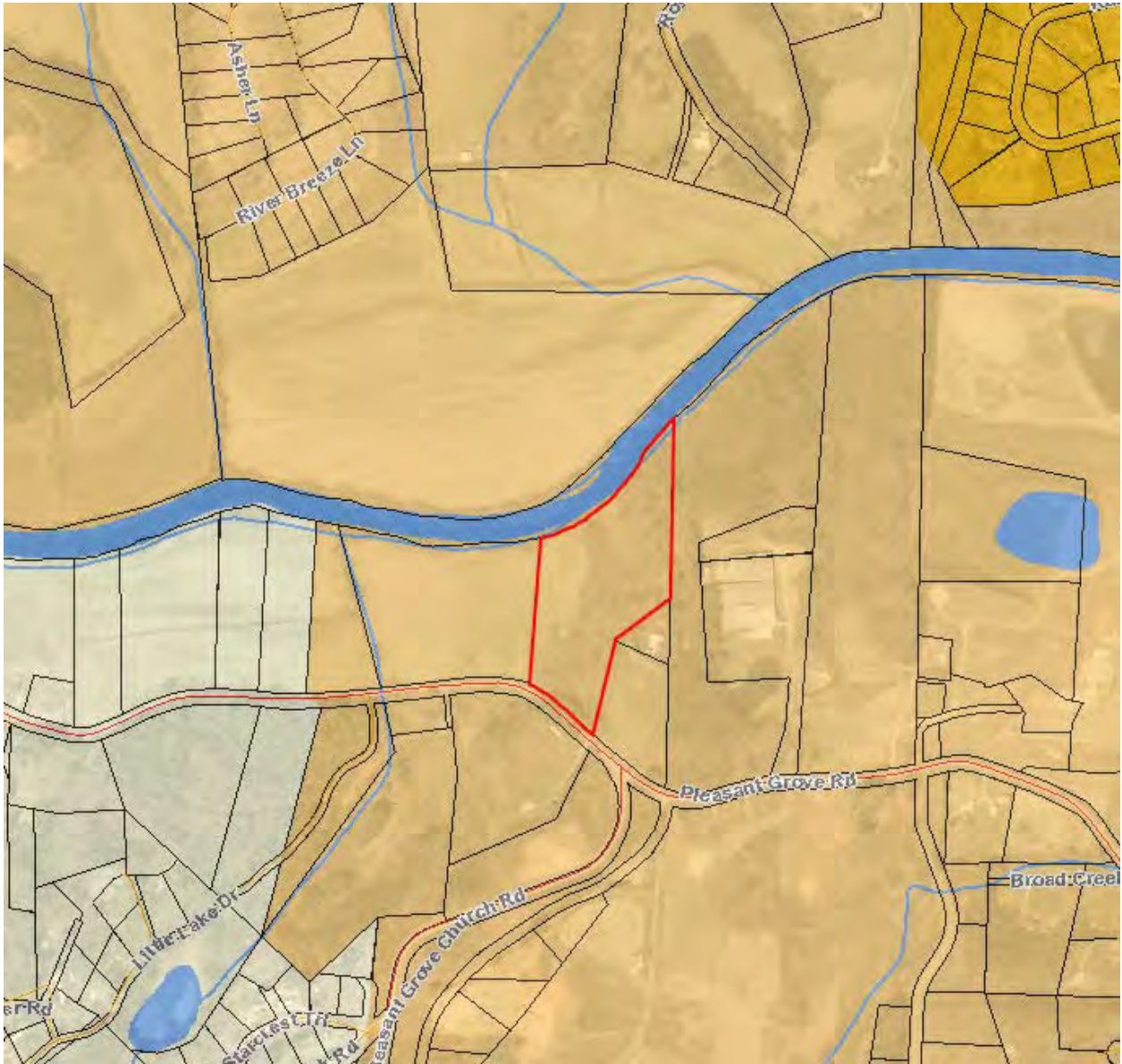


2. **Current Conditions**

**Current Use:** This parcel is currently vacant.

**Adjacent Area Uses/Zoning:** The surrounding properties are residential, commercial and agricultural with R2R zoning.

**Map B: Current Zoning**



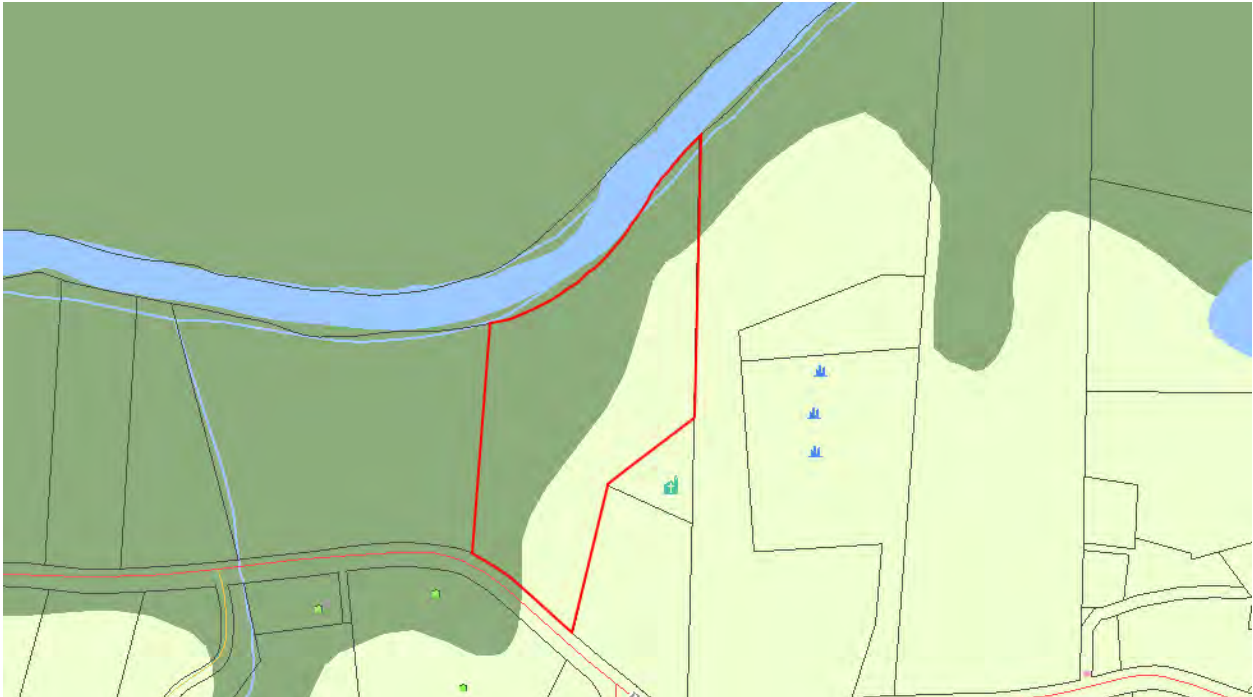
3. **Floodplain /Watershed Protection** The property is located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.

4. **Water and Sewer** This property is not served by public water or sewer.

**Public Water:** n/a

**Public Sewer:** n/a

### Map C: CCP Future Land Use Map



#### 5. **Comprehensive Plan**

**The 2020 CCP:** The CCP Future Land Use Map places the Subject Area in the Rural/Open Space/Agriculture and Conservation districts. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

The RAA covers those portions of the county that are predominantly rural and are characterized by low-density residential development with substantial land areas devoted to agriculture and undeveloped lands. Land use policies will seek to retain that character.

The Conservation category includes land areas that are intended to remain largely in their natural state, with only limited development. Such areas should be targeted for protection through regulations and incentives. Conservation areas are lands that generally exhibit any of the following characteristics:

1. Sensitive natural areas such as steep slopes, floodplains, major wetlands, forest reserves and wildlife conservation areas, and key watersheds
2. Areas of historic and archeological significance
3. Local, state or federally-managed natural areas
4. Areas managed for agricultural or forestry land uses
5. Other areas yet to be defined

#### 6. **Staff Recommendations**

Staff's Position at this time, under the guidelines of current plans, policies and studies, is to approve the special use permit because it is consistent with the current surrounding land uses and future land use recommendations.

7. Photographs











**HENDERSON COUNTY  
SPECIAL USE PERMIT APPLICATION FORM**

**GENERAL INFORMATION**

Date of Application: \_\_\_\_\_

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: OFFICE SR #: 1191

Existing Structures or Uses on property: \_\_\_\_\_

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: 9528-62-4876 Deed Book/Page: 1671/345 Tract Size (Acres): 8.98 Acres

Zoning District: R2-R Fire District: Etowah Watershed: N/A Floodplain: Yes

Location of property to be developed: Pleasant Grove Rd

**CONTACT INFORMATION**

Property Owner:

Name: Joshua M Smartt Phone: 828 329-5423

Address: PO Box 128 City, State, and Zip: Horse Shoe, NC 28742

Applicant:

Name: Josh Smartt Phone: 828-329-5423

Address: PO Box 128

Application No. \_\_\_\_\_

City, State, and Zip: Horse Shoe, NC 28742

**Agent:**

Name: Cameron Baker / ALS

Phone: 828-890-3507

Address: PO Box 578

City, State, and Zip: Horse Shoe, NC 28742

Agent Form (Circle One):    Yes    No

**Plan Preparer:**

Name: Associated Land Surveyors

Phone: 828-890-3507

Address: PO Box 578

City, State, and Zip: Horse Shoe, NC 28742

**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:

No, use will be office use for a single company.

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

No, planned office space will improve overall value of property as well as neighboring properties.

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

Proposed limited clearing / disturbance to keep the property close to its original state

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.

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.

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- 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.

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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).

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- b. Off-street parking and loading areas.

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

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

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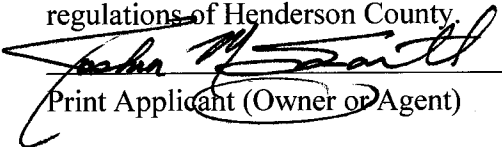
- e. Structures (with particular reference to location, size and use).

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

  
 \_\_\_\_\_  
 Print Applicant (Owner or Agent)

Signature Applicant (Owner or Agent)

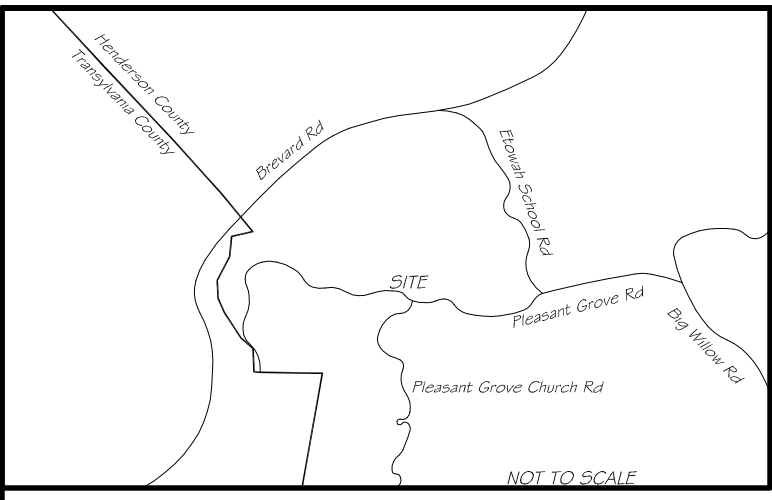
\_\_\_\_\_ Date

**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: \_\_\_\_\_



Vicinity Map

Deed North  
D.B. 1671, Pg. 345

## PROJECT SUMMARY

OWNER / DEVELOPER:  
JOSH SMARTT  
PO BOX 128  
HORSE SHOE, NC 28742

TOTAL PROJECT AREA: 8.98 ACRES  
PROPOSED LOTS: 1

CURRENT ZONING:  
RESIDENTIAL 2-RURAL (R2-R)

PROPOSED DENSITY:  
1 UNIT / 8.98 ACRES

BUILDING USE:  
OFFICE SPACE  
APPROXIMATELY 12-16 EMPLOYEES (SEASONAL)

BUILDING AREAS:  
PROPOSED: 5,200 SF

IMPERVIOUS SURFACE CALCULATIONS:  
TOTAL AREA = 8.98 ACRES (391,169 SF)  
PROPOSED IMPERVIOUS SURFACES = 5,200 SF  
PERCENT IMPERVIOUS = 1%

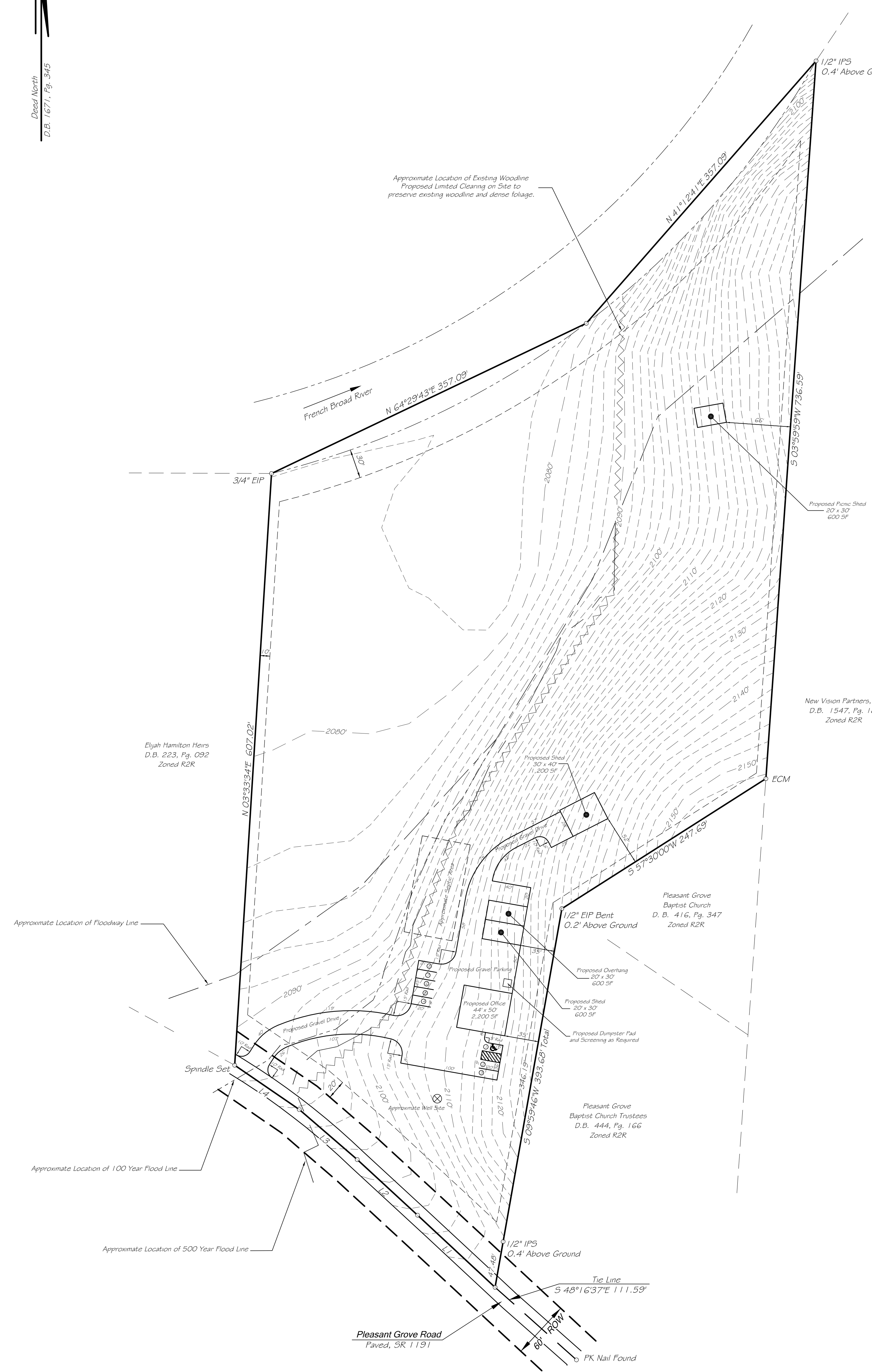
PARKING CALCULATIONS:  
1 SPACE PER 500 SF OF BUILDING REQUIRED  
2,250 SF OF PROPOSED BUILDING  
5 SPACES REQUIRED (8 SPACES PROPOSED)

EXTERIOR LIGHTING:  
WALL MOUNTED, LIGHT MITIGATION COMPLIANT

INDIVIDUAL WATER

INDIVIDUAL SEWER (ON SITE)

ETOWAH HORSE SHOE FIRE DISTRICT



Approximate Location of Floodway Line

Approximate Location of 100 Year Flood Line

Approximate Location of 500 Year Flood Line

Building Setbacks as per Henderson County R2R Zoning:  
Front: 20'  
Side: 10'  
Rear: 10'

30' Stream Buffer

Course	Bearing	Distance
L1	N 47°05'03" W	108.42'
L2	N 47°20'28" W	83.99'
L3	N 49°11'11" W	78.35'
L4	N 55°33'10" W	80.23'



- Notes:
1. Property is subject to all easements, restrictions and right of ways of record.
  2. The locations of underground utilities are based on above-ground structures and record drawings provided to the surveyor. Locations of underground utilities/structures may vary from locations shown hereon. Additional buried utilities/structures may be encountered.
  3. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate title search may disclose.
  4. The certification of survey and plat was prepared for the entity named in the title block hereon and does not extend to any other entity, unless recertified by the professional land surveyor.
  5. All miscellaneous survey related materials, including but not limited to, project plans, deed and ROW research, maps, field notes and data, survey reports, record title report, calculations, working drawings, estimates, and other materials acquired and/or prepared by the surveyor as instruments of service shall remain the property of the surveyor and assigns.
  6. This drawing is not valid unless the original signature and stamp are attached. Any reproduction or variance to this survey by electronic or any other means are not to be considered issued by the professional surveyor.
  7. Property is currently zoned R2R by Henderson County.
  8. Property is not located in a Water Supply Watershed.
  9. Property is not located within 1/2 mile of a designated Farmland Preservation District.
  10. Contours are at 2' intervals. Topographic survey not performed at this time, contours taken from Lidar.
  11. All Areas are by Coordinate Computation.

- Legend:
- EIP = Existing Iron Pipe
  - EIS = Existing Iron Stake
  - IPS = Iron Pipe Set
  - = Unmarked Point, Unless Otherwise Noted
  - ROW/MON = Right of Way Monument
  - ROW = Right of Way
  - Rad = Radius
  - = Proposed Large Deciduous Tree

Property as described in D.B. 1671, Pg. 345

Map of Major Site Plan For

Josh Smartt

-Owners-  
D.B. 1671, Pg. 345

Pin: 9528-62-4876

CRAB CREEK Township	HENDERSON County, NC
 <b>ASSOCIATED LAND SURVEYORS</b> & PLANNERS PC P.O. BOX 578 * HORSE SHOE, NC 28742 (828) 890-3507 NC BUSINESS LICENSE NO. C-2774	
SCALE: 1 Inch = 60 Feet	DATE: AUGUST 16, 2016
JOB NO.: S-16-271	DRAWN BY: JTB