REQUEST FOR COMMITTEE ACTION HENDERSON COUNTY Zoning Board of Adjustment

MEETING DATE: October 30, 2013

SUBJECT: Special Use Permit Application (SUP-13-04) for Campground located at 4580 Chimney Rock 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 an Outdoor Recreational Facility.

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-13-04 for Alison Sadler and John Snyder with the following conditions:

• Meet requirements of SR 4.4. Campground

The use will:

- a) Not materially endanger the public health, safety or welfare because the owners 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: Slick Rock Campground
- 1.2. Request: Special Use Permit
- 1.3. **PIN:** 0612-54-0898
- 1.4. Size: 19.46 acres +/-
- 1.5. Location: The subject area is located at 4580 Chimney Rock Road

1.6. Supplemental Requirements:

SR 4.4. Campground

(1) Site Plan. Major Site Plan required in accordance with §200A-331 (Major Site Plan Review).

(2) Lighting. *Lighting mitigation* required.

(3) Size. No *campground* located on/adjacent to a *residential zoning district* shall contain more than 200 campsites. Individual campsites shall be a minimum of 500 square feet.

(4) Perimeter Setback. Fifty (50) feet.

(5) Common Area. A *common area* shall be provided, that is equivalent in square footage to 25 percent the total square footage in: campsites, *structures* on site, parking areas and *driveways*. *Common area* shall be accessible for the *use* and enjoyment of *campground* occupants, located as to be free of traffic hazards and maintained in good condition by the *applicant*.

(6) Operations. The *campground*:

a. May contain structures ancillary to the use; and

b. Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs. (7) Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual *uses* or the *use* of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 165 of the Henderson County Code, *Solid Waste*) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §200A-182 (Screen Classification).

(8) Common Area Recreation and Service Facilities. Those facilities within the *campground* shall be for the sole purpose of serving the overnight guests in the *campground*, and shall adhere to the development standards established therefore in SR 4.6 (*Common Area Recreation and Service Facilities*).

SR 4.6. Common Area Recreation and Service Facilities

(1) Site Plan. Major *Site Plan* required in accordance with §200A-331 (Major Site Plan Review).(2) Structure. Where the *common area recreation facility* is a swimming pool, spa or hot tub, it shall

be protected by a fence or equal enclosure, a minimum of four (4) feet in height, and shall have controlled access.

(3) Operations. Common area service facilities shall be for the purpose of serving residents and visitors within the complex, development, *manufactured home park* or *subdivision*, and shall not be considered a commercial operation for *use* by those outside of the complex, development, *manufactured home park* or *subdivision*.

Campground. An establishment primarily engaged in operating/accommodating campsites.

These establishments may provide access to facilities, such as laundry rooms, recreational halls and playgrounds, stores and snack bars.



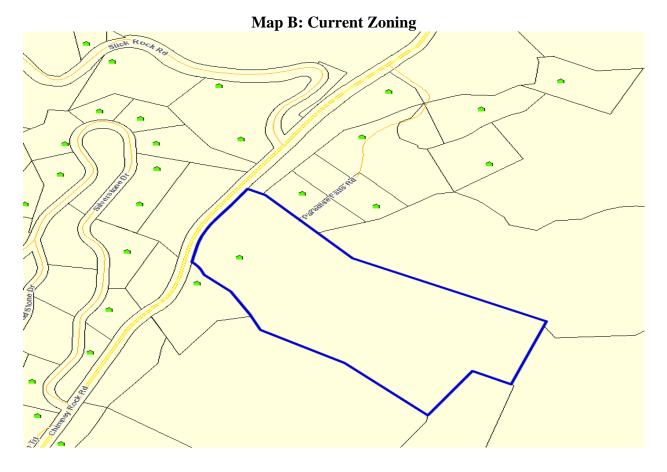


2. <u>Current Conditions</u>

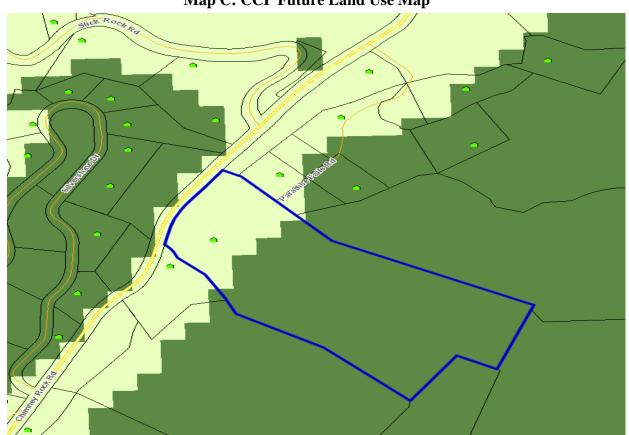
2.1 Current Use: This parcel is currently vacant.

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

2.3 Zoning: The surrounding property is zoned Residential 3 (R3).



- 2. <u>Floodplain /Watershed Protection</u> A portion of this property lies in the special flood hazard area. The property is not in a Water Supply Watershed district.
- 3. <u>Water and Sewer</u> Private well and septic system serve this property.



Map C: CCP Future Land Use Map

4. Staff Comments

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

1. **Rural/Agricultural Category** 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.

2. Slopes are typically steep, often exceeding 10%, with significant areas greater than 20%.

3. Most sections of the RAA are so far from sewer services as to make their extension largely impossible. Land development regulations should recognize this by not permitting densities that would require sewer services or introduce traffic capacity problems and by encouraging densities that are consistent with steep slopes, poor septic capacities, and sensitive topography.

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

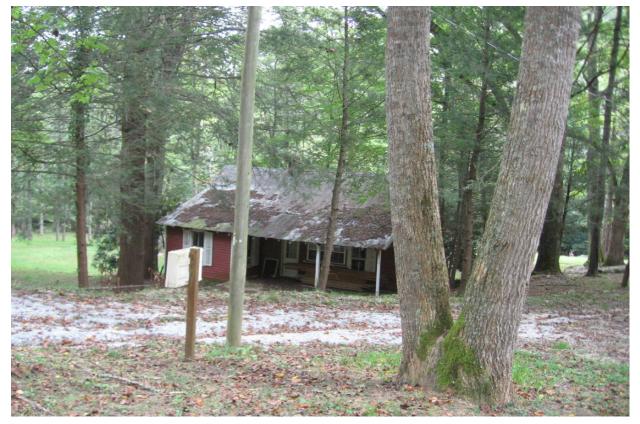
5. <u>Staff Recommendations</u>

Staff's position at this time, under the guidelines of current plans, policies and studies, is to recommend approval of the Special Use Permit because it is consistent with the current surrounding land uses and future land use recommendations.

6. <u>Photographs</u>

Looking Northeast





Looking South



Looking Southeast





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1 PPP			

HENDERSON COUNTY SPECIAL USE PERMIT APPLICATION FORM

--GENERAL INFORMATION

Date of Application: _	9-17-2013						
Previously Submitted	(Circle One): Y	es		No	Х		
Date of Pre-Applicatio	on Conference:	9-10-2	2013				_
Site Plan Attached (Ci	ircle One): Yes	х	No				
Traffic Impact Study	Required (Circl	e One):	Yes			No	Х

SPECIAL USE PERMIT INFORMATION

Type of use to be permitted:			SR #: US Hwy 64
Existing Structures or Uses on property: 1-Existing home site, 5 existing cabin sites that were recently torn down for saftey issues.			
Road System (Circle):	Public	Private X	
Water System (Circle):	Individual X	Community	Public (Municipal or County)
Sewer System (Circle):	Individual X	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: _0612-54-0898	Deed Book/Pa	ge: <u>963/325</u>	Tract Size (Acres): _	19.89
Zoning District: <u>R3</u> Fire District:	Bat Cave	Watershed:	Floodplain:	Yes
Location of property to be developed: <u>Prop</u> 800 feet southwest of Slick Rock Road.	perty is located of	on the east side	of US Highway 64 a	pproximately

CONTACT INFORMATION

Property Owner:	
Name: <u>Alison Sadler and John Snyder</u>	Phone: (323) 578-8591
Address: 1345 Virgina Ave.	City, State, and Zip: <u>Glendale, CA 91202</u>
Applicant:	
Name: Alison Sadler	Phone: (323) 578-8591

	Application No
Address: <u>1345 Virgina Ave.</u>	City, State, and Zip: <u>Glendale, CA 91202</u>
Agent:	
Name:	Phone:
Address:	City, State, and Zip:
Agent Form (Circle One): Yes No	
Plan Preparer:	
Name: Michael Lovoy, P.E.	Phone: (828) 545-5393
Address: 34 Big Bear Trail	City, State, and Zip: Asheville, NC 28805

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: <u>The property will be used as a Low Impact Campground with environmentally sensitive aspects such as rain</u> <u>water harvesting, composting toilets, and possibly a grey water shower system. The tent sites will be</u> <u>constructed on elevated wooden platforms to minimize grading and disturbance to the property.</u>

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

The Low Impact Campground use of the property will add value to the property and allow people to visit and enjoy the natural landscape of the property including Reedy Patch Creek and future hiking trails.

C. General Requirement #3. The use will be in harmony with the surrounding area. <u>The surrounding area varies from commercial to residential. The campground will allow people to enjoy the</u> <u>natural beauty of the property and area, as well as act as a destination place that will add potential customers</u> to some of the close by markets and stores.

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:

- Comply with all applicable local, state and federal statutes, ordinance and regulations.
 <u>The campground will be designed in accordance with local, state and federal statutes, ordinances, and
 regulations.

 </u>
- 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 nay municipality of the County.

The campground will offer visitors of Henderson County an alternative to hotels that will allow them to enjoy the natural beauty of the property and nearby visitation areas.

Application No.

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.

There will be minimal permanent lighting for the campground in order to allow for a more natural feel while staying on the property. There will be a quiet time that will be implemented after 11:00 PM. Employees of the campground will maintain a clean, odor free site.

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.

The Low Impact Campground will minimize environmental impacts and encourage the use of the natural landscape.

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).

Vehicular Ingress and Egress will utilize the existing gravel access raod for the property and will be contained and minimized to a certain portion of the property requiring pedestrian foot traffic across most of the property. All structures will be accessed by foot.

- b. Off-street parking and loading areas. Off-street parking, loading, and unloading areas will be contained and minimized to a certain portion of the property requiring pedestrian foot traffic across most of the property.
- c. Utilities (with particular reference to locations, availability and compatibility). Utilities will be minimized on the site by using rainwater harvesting for water usage where possible and an on-site water well to supplement where needed. Composting toilets and grey water showers will be used where possible to minimize septic usage. Overhead power is currently available on the site.
- d. Buffering and landscaping (with particular reference to type, location and dimensions). <u>The property is currently heavily wooded. Exisitng natural landscape buffers will be utilized where</u> <u>possible, and native plantings will be used as needed to supplement the exisitng natural vegetation for</u> <u>buffering as needed</u>.
- Structures (with particular reference to location, size and use).
 <u>Structures will be tent sites built on elevated wooden deck systems to minimize disturbance that will</u> include a shared bathroom, a communal fire pit with a covered picnic area, and a small existing house

site that will be improved to act as an office and camp store. Structure sizes will be minimized.

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

AllSON'SADLER John Print Applicant (Owner or Agent) 09/16/2013 Signature Applicant (Owner br Agent) Date

County Use Only				
Fce: S	Paid:	Method:	Received by:	· · · · · · · · · · · · · · · · · · ·
Authority to gran	t the requested permit is co	ontained in the Land Deve	lopment Code, Sections:	······································
Community Plan	ning Area:			······································

PROJECT TEAM	INFORMATION
OWNER/DEVELOPER:	ALISON SADLER
	1345 VIRGINIA AVENUE
	GLENDALE, CA 91202
CONTACT:	ALISON SALDER
	(323) 578-8561
CIVIL ENGINEER:	MICHAEL D. LOVOY, P.E.
	34 BIG BEAR TRAIL
	ASHEVILLE, NC 28805
CONTACT:	MIKE LOVOY, P.E.
	(828) 545-5393
SURVEYOR:	PATTERSON AND PATTERSON, INC.
CONTACT:	PO BOX 6114 HENDERSONVILLE, NC 28793-6114 PAUL PATTERSON, PE/PLS (828) 692-6629

SLICK ROCK CAMPGROUND MASTER SITE PLAN HENDERSON COUNTY, HENDERSONVILLE, NORTH CAROLINA SEPTEMBER 17, 2013

PROJECT FOR: ALISON SADLER 1345 VIRGINIA AVENUE GLENDALE, CA 91202

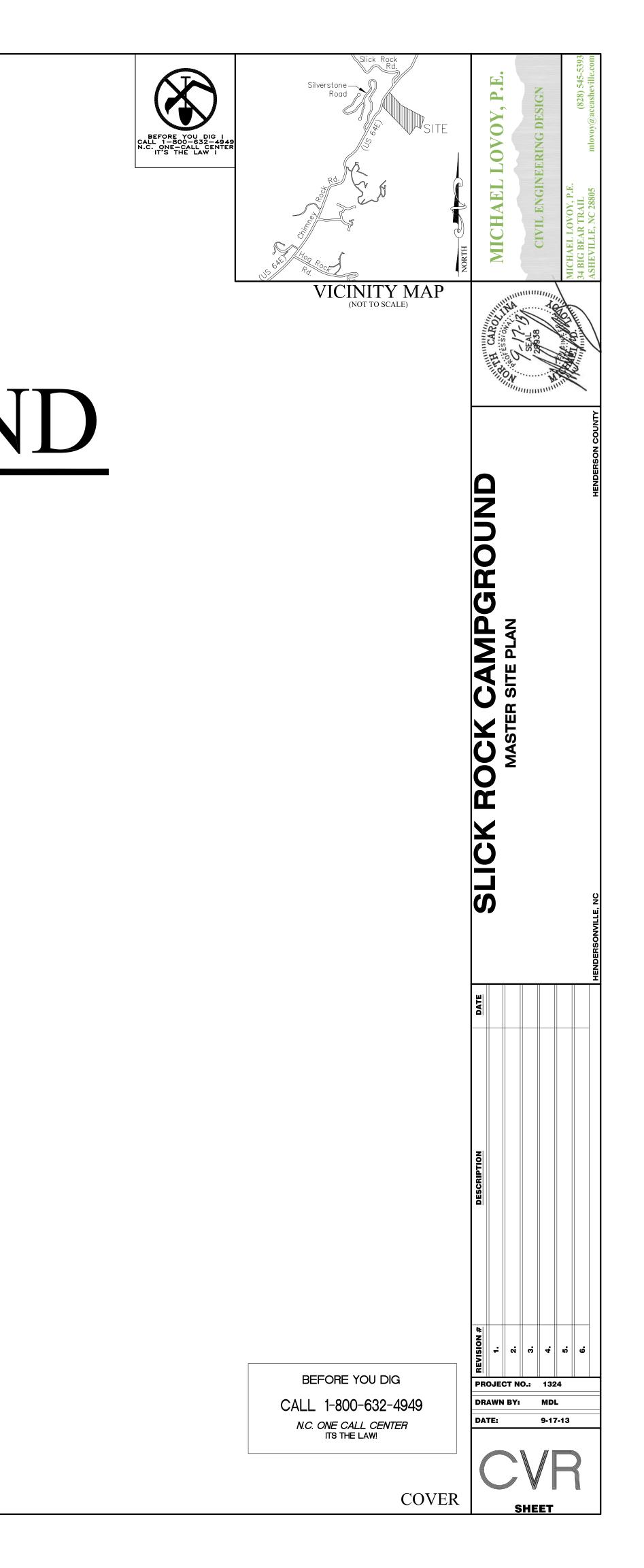
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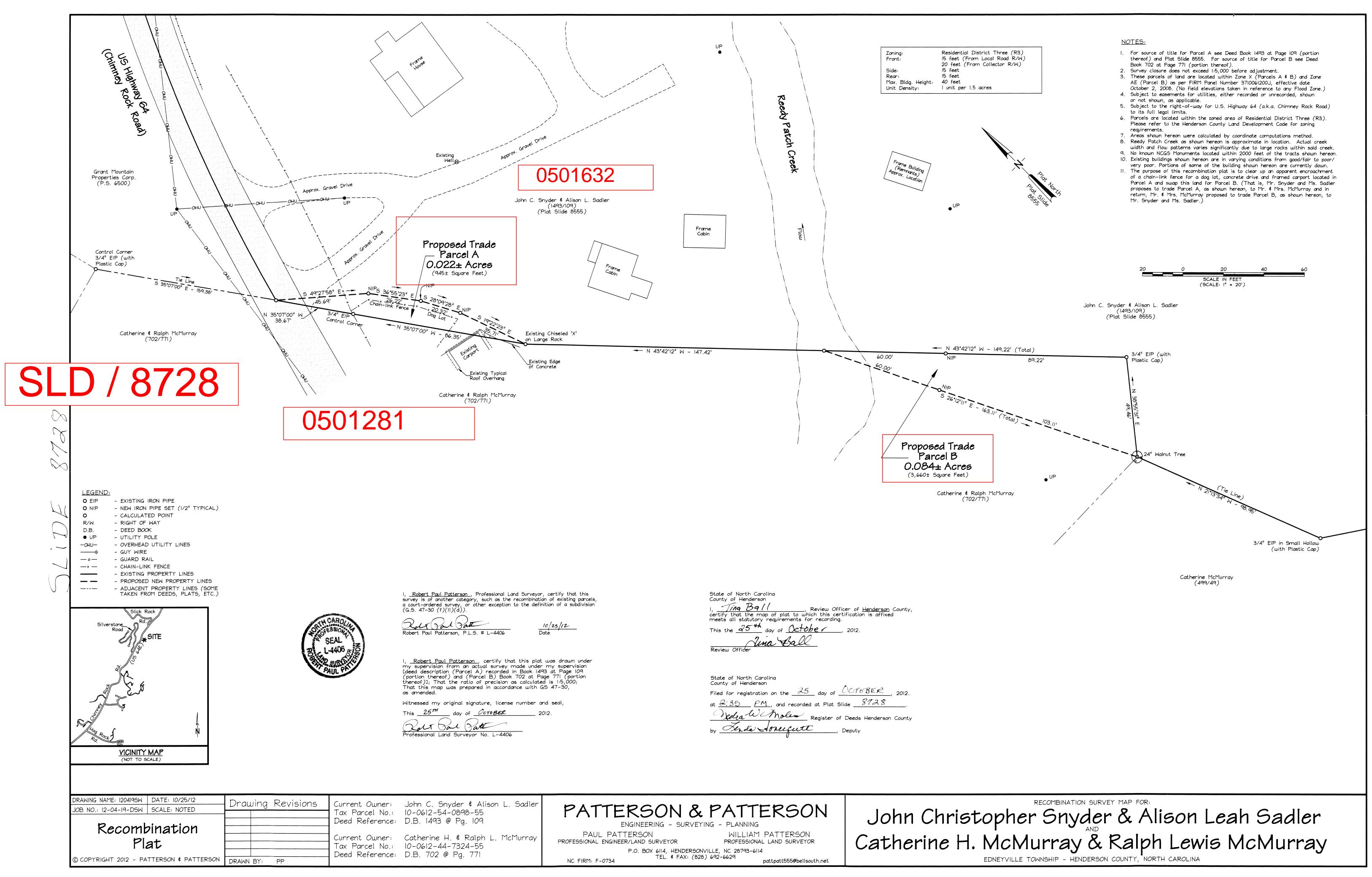
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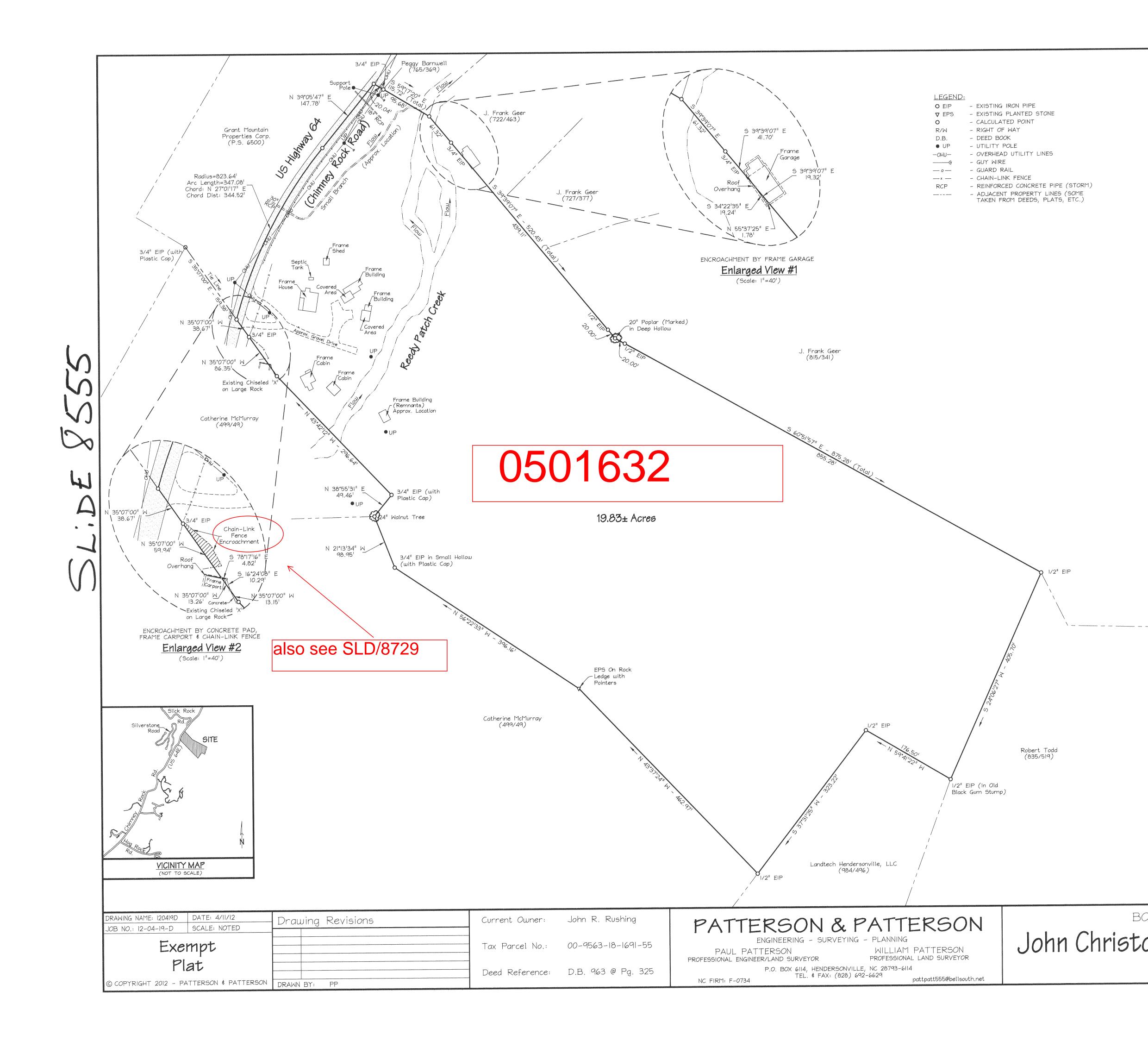
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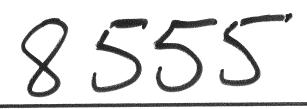
SHEET TITLE

COVER MASTER SITE PLAN









NOTES:

- For source of title see Deed Book 963 at Page 325. Further reference is made to an unrecorded map prepared by William Patterson, RLS, dated May 1995 (Job # 95-05-13-B).
- Survey closure does not exceed 1:5,000 before adjustment.
 This parcel of land is located within Zone AE and X as per FIRM Panel Number 3710061200J, effective date October 2, 2008. (No field elevations taken in
- reference to any Flood Zone.) 4. Subject to easements for utilities, either recorded or unrecorded, shown
- or not shown, as applicable. 5. Subject to the right-of-way for U.S. Highway 64 (a.k.a. Chimney Rock Road)
- to its full legal limits. 6. Property is located within the zoned area of Residential District Three (R3). Please refer to the Henderson County Land Development Code for zoning requirements.
- Area shown hereon was calculated by coordinate computations method.
 Encroachment of Garage onto parcel along the northern property line as shown
- hereon in Enlarged Detail #1. 9. Encroachment of Chain-link fence, concrete slab and framed carport unto parcel
- along the southern property line as shown hereon in Enlarged Detail #2. 10. The 100-Year Flood Plain as shown hereon is approximate in location and was taken from the aforementioned FIRM Panel Number 3710061200J.
- 11. Reedy Patch Creek as shown hereon is approximate in location. Actual creek width and flow patterns varies significantly due to large rocks within said creek.
- No known NCGS Monuments located within 2000 feet of the tracts shown hereon.
 Existing buildings shown hereon are in varying conditions from good/fair to poor/ very poor. Portions of some of the building shown hereon are currently down.

Residential District Three (R3) Zoning 15 feet (From Local Road R/W) 20 feet (From Collector R/W) Front: 15 feet Side: 15 feet Rear: Max. Bldg. Height: 40 feet l unit per 1.5 acres Unit Density: SCALE IN FEE (SCALE: ||' = 80')I, <u>Robert Paul Patterson</u>, Professional Land Surveyor, certify that this survey is of an existing parcel or parcels of land and does not create a new street or change an existing street (G.S. 47-30 (f)(11)(c)(1)). Rolt Park Date **4/11/12** Date Robert Paul Patterson, P.L.S. # L-4406 U CAL LEESSI SEAL I, <u>Robert Paul Patterson</u>, certify that this plat was drawn under my supervision from an actual survey made under my supervision [deed description recorded in Book 963 at Page 325]; That the ratio of precision as calculated is 1:5,000; That this map was prepared in accordance with G.S. 47-30, as amended. L-4406Witnessed my original signature, license number and seal, day of APRIL 2012. This 11TH State of North Carolina County of Henderson I, <u>Eric Warren</u>, Review Officer of <u>Henderson</u> County, certify that the map of plat to which this certification is affixed meets all statutory requirements for recording. 11th day of April This the 2012 4/11/2012 wane State of North Carolina County of Henderson Filed for registration on the <u>11</u> day of <u>APR.1</u>, 2012. at <u>4:46</u> <u>P.M</u>; and recorded at Plat Slide <u>8555</u>. Nedra W moles Register of Deeds Henderson County of Latay B Higgins ____, ASST BOUNDARY UPDATE SURVEY MAP FOR: John Christopher Snyder & Alison Leah Sadler

EDNEYVILLE TOWNSHIP - HENDERSON COUNTY, NORTH CAROLINA

