

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
ZONING BOARD OF ADJUSTMENT

MEETING: **August 30, 2017**

SUBJECT: **Special Use Permit for a small place of assembly**

PRESENTER: **Toby Linville**

ATTACHMENTS: **Staff Report**

SUMMARY OF REQUEST:

Special Use Permit application for a small place of assembly for receptions.

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The applicant is requesting a Special Use Permit to allow the continued use of this property for a small place of assembly for wedding receptions and other gatherings.

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 SUP-17-02 for Andrea Owensby with the following conditions:

Meet requirements of SR 5.17. *Place of Assembly, Small*

- (1) Site Plan. Major *Site Plan* required in accordance with §200A-331 (Major Site Plan Review).
- (2) Lighting. *Lighting mitigation* required.
- (3) Structure. A *structure* shall be designed to accommodate a minimum of 40 and a maximum of 499 persons.
- (4) Perimeter Setback. Fifty (50) feet.

The use will:

- a) **Not materially endanger the public health, safety or welfare;**
- b) **Not substantially injure the value of the 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:** Andrea Owensby
- 1.2. **Request:** Major Site Plan Approval-Special Use Permit
- 1.3. **PIN:** 0621266177
- 1.4. **Size:** 69.48 acres +/-
- 1.5. **Location:** The subject area is located at 323 Shadowrun Road
- 1.6. **Supplemental Requirements:**

SR 5.17. Place of Assembly, Small

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Map A: Pictometry/Aerial Photography



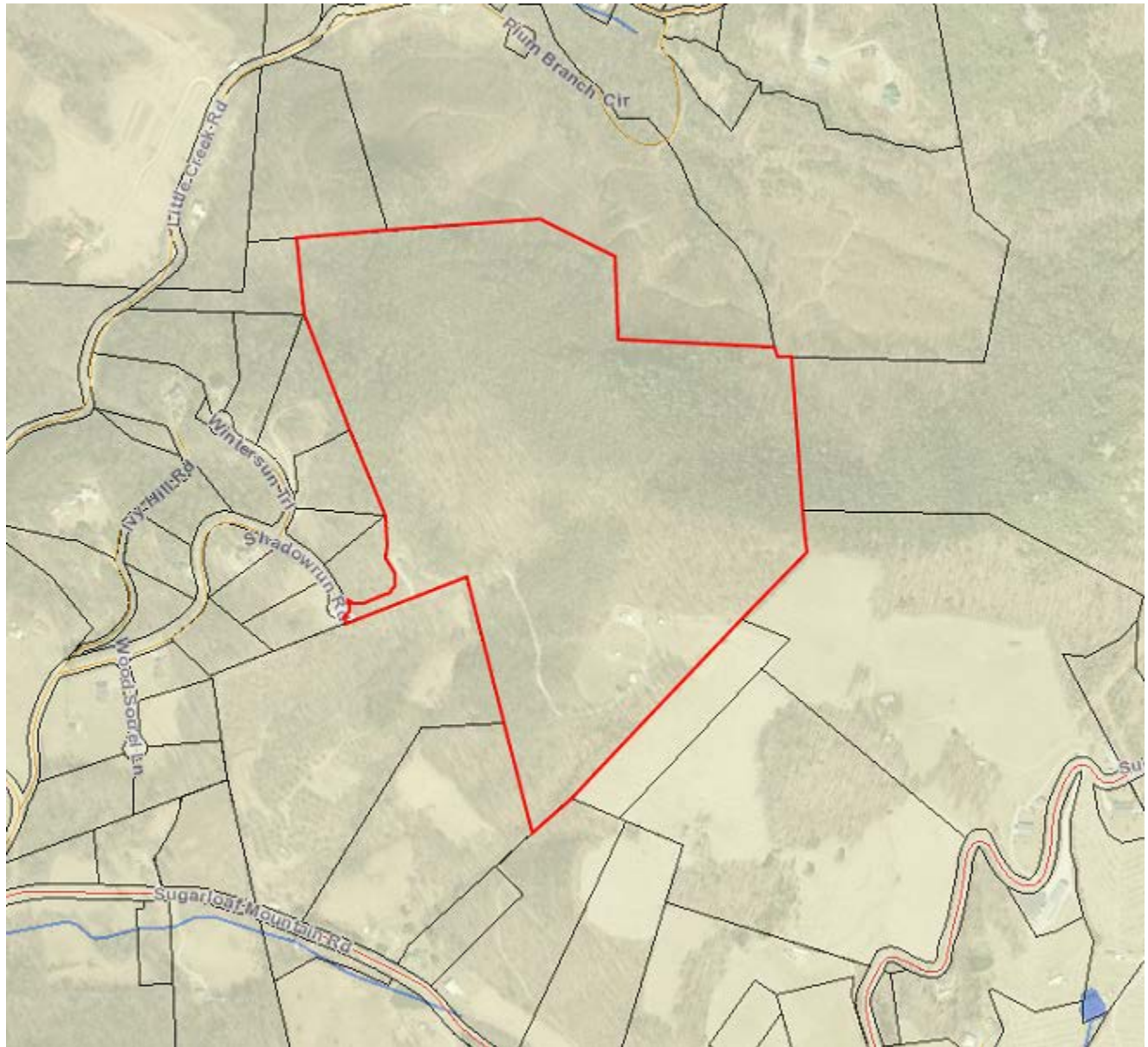
2. Current Conditions

Current Use: This parcel is currently in Residential Use.

Adjacent Area Uses: The surrounding properties consist of residential uses.

Zoning: The surrounding properties are zoned Residential 3 (R3).

Map B: Current Zoning



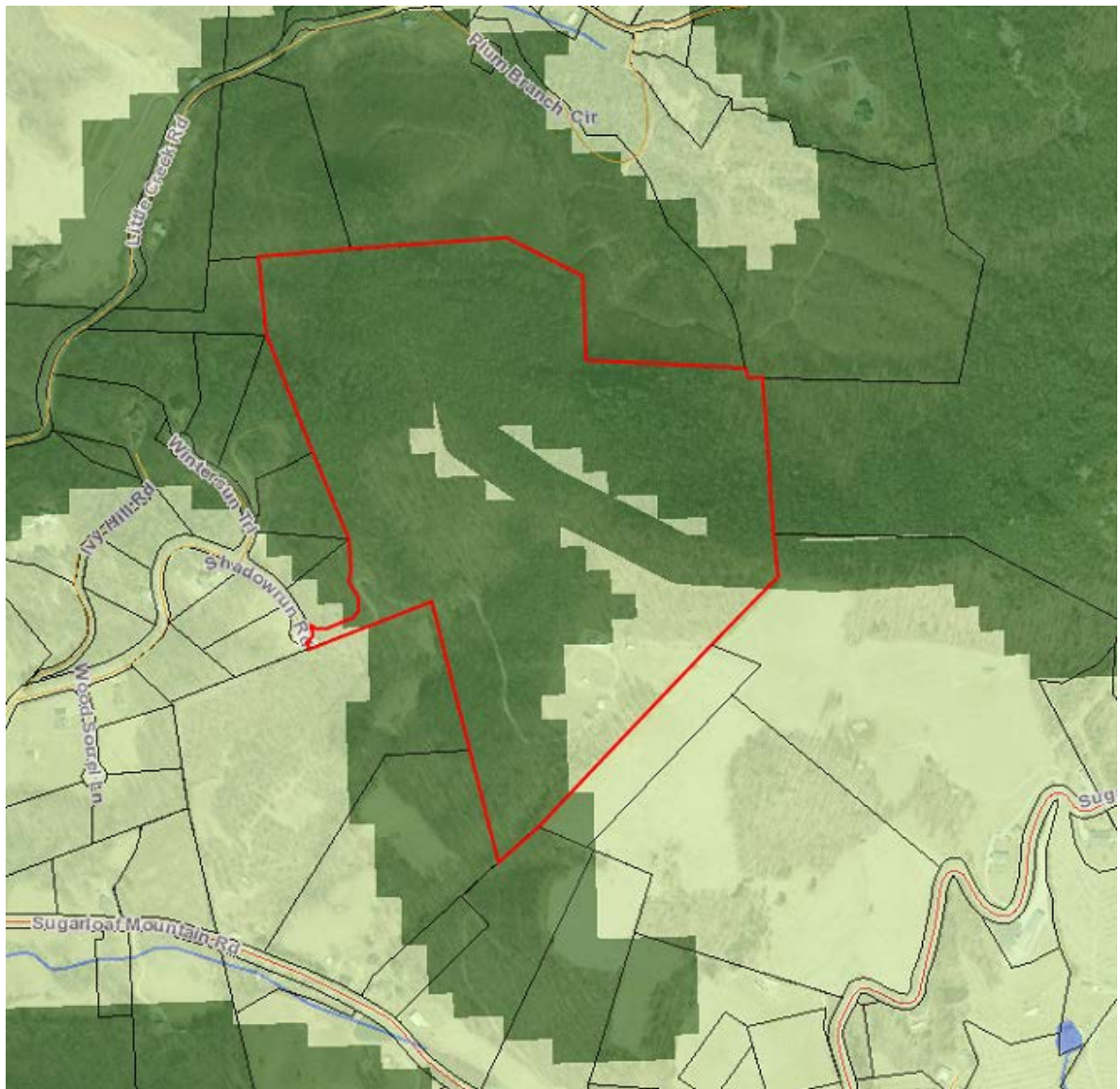
3. Floodplain /Watershed Protection The property is not located in a Special Flood Hazard Area. The parcel is no located in a Water Supply Watershed district.

4. Water and Sewer This property will be served by private water and septic.

Public Water: Unavailable

Public Sewer: Unavailable

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 Conservation and Rural/Agricultural Areas classification. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

Rural/Agricultural Area (RAA): 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. Extraordinary care should be taken in these areas to preserve their rural character and to protect valuable farmlands as well as environmental and cultural resources. Farmland protection measures should be aggressively pursued within the RAA (CCP p.136).

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.

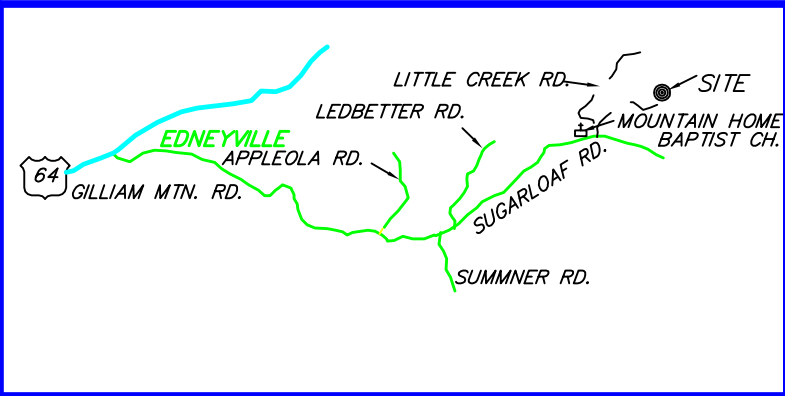
7. Photographs and Site Plan











**ANDREA OWENBY
LIVING TRUST**
DEED BOOK 1656, PAGE 563
Parcel Identification Number 0621-26-6177
DEED OF CONSERVATION EASEMENT
DEED BOOK 1482, PAGE 433
ZONING-R3

**FRED M. WATERS, JR.
FAMILY TRUST**
DEED BOOK 1327, PAGE 661
Parcel Identification Number 0621-48-3947
ZONING-R3

**EDWARD L. OVERCASH
-AND WIFE-
DONNA OVERCASH**
DEED BOOK 1600, PAGE 171
Parcel Identification Number 0621-45-2541
ZONING-R3

JOHN PAUL FREEMAN
DEED BOOK 668, PAGE 671
Parcel Identification Number 0621-35-1217
ZONING-R3

LEGEND

- ⊙ = Iron Pin & Cap Set
- = Unmarked Point (unless otherwise noted)
- = Landscaping enclosed by Rail Fence
- = Rock Retaining Walls
- X- = Barded Wire Fence Line
- = Handicap Parking

NOTES: THE SUBJECT AREA IS NOT LOCATED IN A FLOOD HAZARD ZONE ACCORDING TO HENDERSON COUNTY GIS INFORMATION.
THE PROPERTY SHOWN ON THIS PLAT IS NOT LOCATED IN A WATERSHED ACCORDING TO HENDERSON COUNTY GIS INFORMATION.
THE PROPERTY SHOWN IS LOCATED IN THE EDNEYVILLE FIRE TAX DISTRICT ACCORDING TO HENDERSON COUNTY GIS INFORMATION.

**SITE PLAN FOR
JOYS OUTDOORS, INC.
(D.B.A.)
CABIN RIDGE
ANDREA OWENBY LIVING TRUST**
300 IVY HILL ROAD
HENDERSONVILLE, N.C. 28792
PHONE: 828-606-5815
(OWNER)

BEING A PORTION OF DEED BOOK 1656, PAGE 563
PARCEL IDENTIFICATION NUMBER 0621-26-6177

EDNEYVILLE TWP. HENDERSON COUNTY, N.C.



SCALE: 1" = 100'
JUNE 19, 2017

JOB NO. 17-019-B

GARY L. CORN, INC.
PROFESSIONAL LAND SURVEYOR
522 FLEMING STREET
HENDERSONVILLE, N.C. 28739
PHONE/FAX 828-696-9840

