

# REQUEST FOR COMMITTEE ACTION

## HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

**MEETING DATE:** October 6, 2009

**SUBJECT:** Combined Master Plan and Development Plan for Stone Ridge (File #2009-M04)

**STAFF CONTACT:** Parker Sloan

**ATTACHMENTS:**

1. Staff Report
2. Vicinity Map
3. Subdivision Application
4. Combined Master Plan and Development Plan

### **SUMMARY OF REQUEST:**

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Scott and Sharon Orr, owners, submitted a Combined Master and Development Plan and major subdivision application for the project. The original tract (PIN 9650-90-9941) was part of a minor subdivision approved on April 1, 2008. This subdivision created 2 lots. Therefore any application for subdivision within three years of April 1, 2008 must be processed as a major subdivision. The applicant is proposing a total of 2 lots, for a total of 3 lots since April 2008. The project is located on approximately 8.07 acres of land (PIN 9650-90-9941) located off Ciccone Dr.

The project is located in WSIV PA water supply watershed, but it is not located within the floodplain. According to County records, portions of the project site contain slopes in excess of 60 percent. It is located in the R1 (Residential One) Zoning District.

### **TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:**

Staff has found that the proposed Combined Master and Development Plan appears to meet the technical standards of the subdivision regulations of Chapter 200A, Henderson County Land Development Code (LDC) except for the comments listed in the Staff Report (See Attachment 1). Staff recommends approval of the Combined Master and Development Plan subject to the developer addressing any issues raised by the Technical Review Committee and addressing the comments listed in the Staff Report.

### **Suggested Motion:**

I move that the Technical Review Committee find and conclude that the Combined Master and Development Plan appears to comply with the subdivision provisions of Chapter 200A, Henderson County Land Development Code (LDC);

And

I further move that the Combined Master and Development Plan be approved subject to the following conditions: the applicant satisfies any conditions that may result from the comments listed in the Staff Report (Attachment 1) or other comments from discussion at the Technical Review Committee meeting.

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## Henderson County Planning Department Staff Report

### Combined Master and Development Plan Review for Mountain Home Stone Ridge (File #2009-M04) Scott and Sharon Orr, owners

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#### **Master Plan Comments:**

According to Chapter 200A, Henderson County Land Development Code (LDC) §200A-309, the purpose of a Master Plan is to provide general information about the proposed development to allow for an assessment of its impact on the orderly growth and development of the County, environmental quality, land values, natural features identified on the site analysis sketch and the County's roads and governmental services. During the review of the Master Plan, the Technical Review Committee should take into consideration: applicable recommendations of the *Henderson County 2020 Comprehensive Plan*, the potential use of the land to be subdivided, and the impact of the subdivision and proposed use whether residential, commercial or industrial.

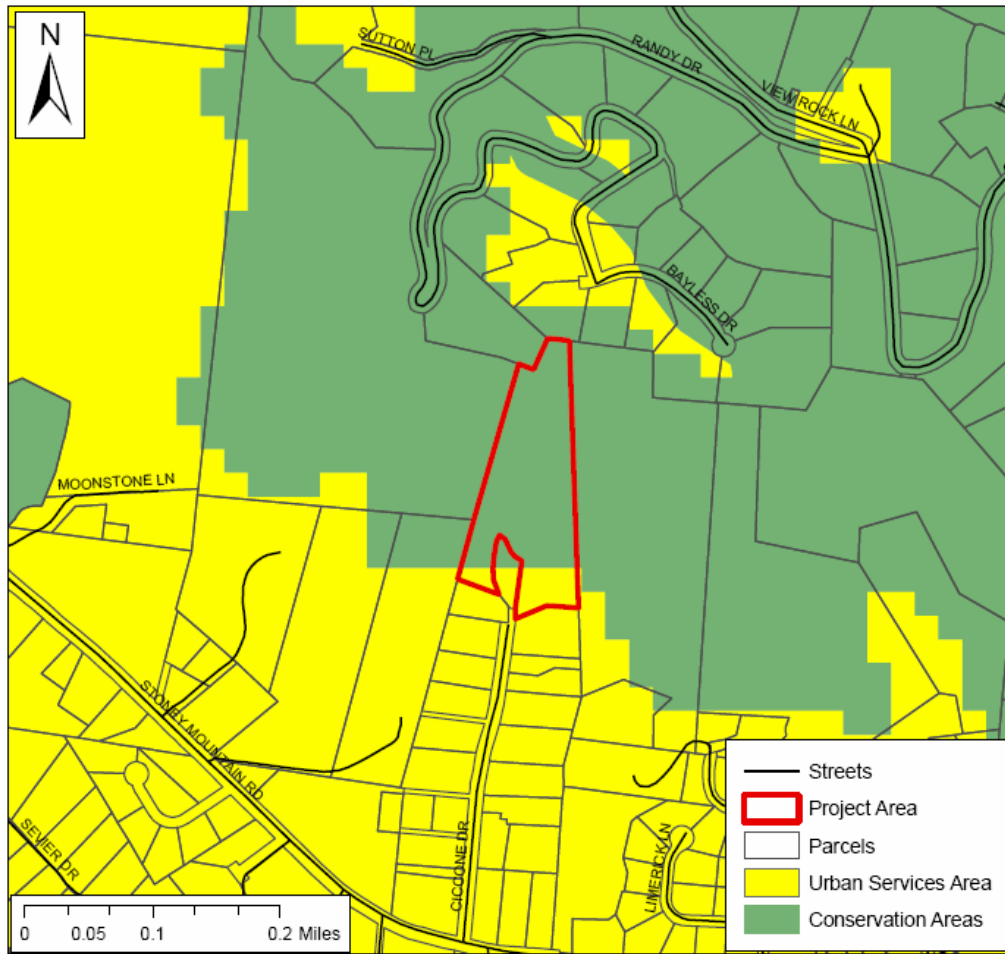
When reviewing the Master Plan it is important to consider that, due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems and or the proximity to existing and incompatible land uses/zoning, all land may not be suitable to be subdivided for the purpose of dense development (LDC §200A-75).

Staff has reviewed the submitted Combined Master and Development Plan for Stone Ridge, taking into consideration the recommendations of the *Henderson County 2020 Comprehensive Plan* and reviewing the plan for conformance with Henderson County Land Development Code. Staff offers the following comments:

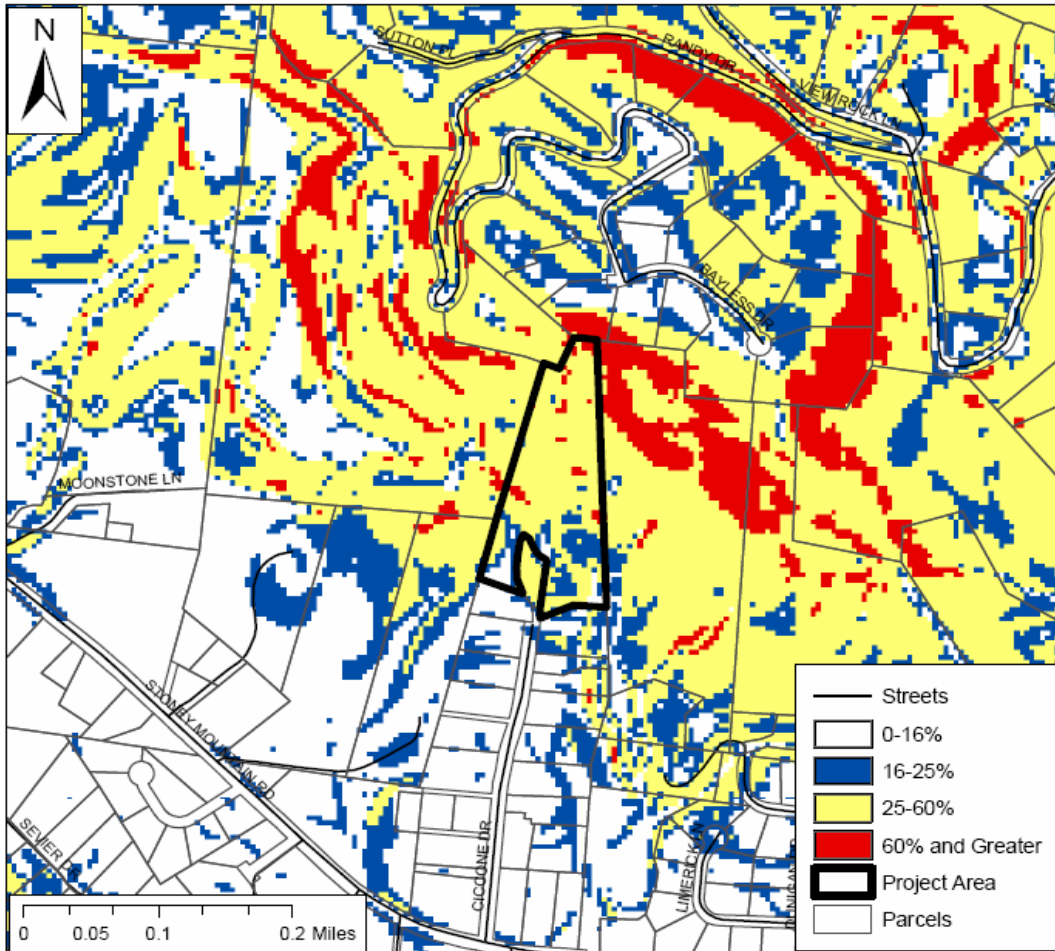
1. ***Henderson County 2020 Comprehensive Plan (CCP)***. The Future Land Use Map of the CCP shows the project site as being located within the: Urban Services Area and Conservation Area (See Map A: CCP Future Land Use Map).
  - a. **The Urban Services Area** is that area within which most urban services and urban scale development is currently concentrated. Considerable commercial development at a mixture of scales: Local, Community, and Regional should be concentrated here. Virtually all existing and future industrial developments will be contained in the USA.
  - b. **Conservation Area**
    - i. The CCP also states that land use planning should acknowledge the presence of sensitive natural areas such as floodplains, wetlands, areas of excessively steep topography and other natural assets and should strive to protect these areas from development which would damage such resources or diminish their integrity.

- ii. The Future Land Use Map shows that most of the development is proposed for land that contains areas designated as conservation. These are likely to be sensitive natural areas, such as steep slopes, streams, creeks, waterfalls, forest reserves, wildlife conservation areas and key watersheds. The portion of the subject area is most likely designated as conservation because it is forested and steep. The CCP states that lands identified as conservation are intended to remain largely in their natural state, with only limited development.

**Map A: CCP Future Land Use**

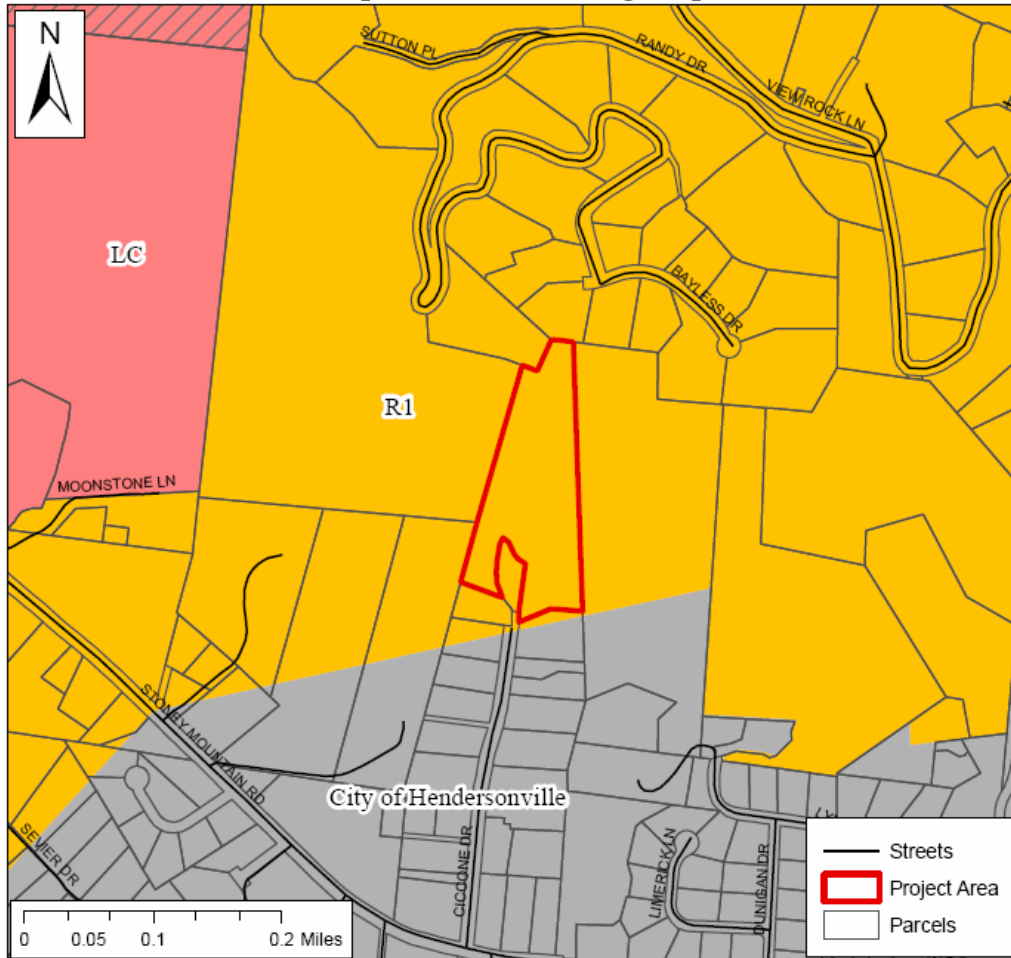


**Map B: Percent Slope Map**



2. **Chapter 200A, Henderson County Land Development Code (LDC).**  
 According to Chapter 200A, Henderson County Land Development Code (LDC) and its Official Zoning Map adopted September 19, 2007 (as amended), the proposed project site is located within the R1 (Residential One) zoning district. (See Map C: Official Zoning Map). The project site contains slopes in excess of 60 percent, but they do not account for ten (10) percent or more of the tract, therefore the density reduction does not apply. Approximately .50 acres of the project site contains 60% slope or greater, as shown on the combined master and development plan (See Map B: Percent Slope Map).

**Map C: Official Zoning Map**



**Development Plan Comments**

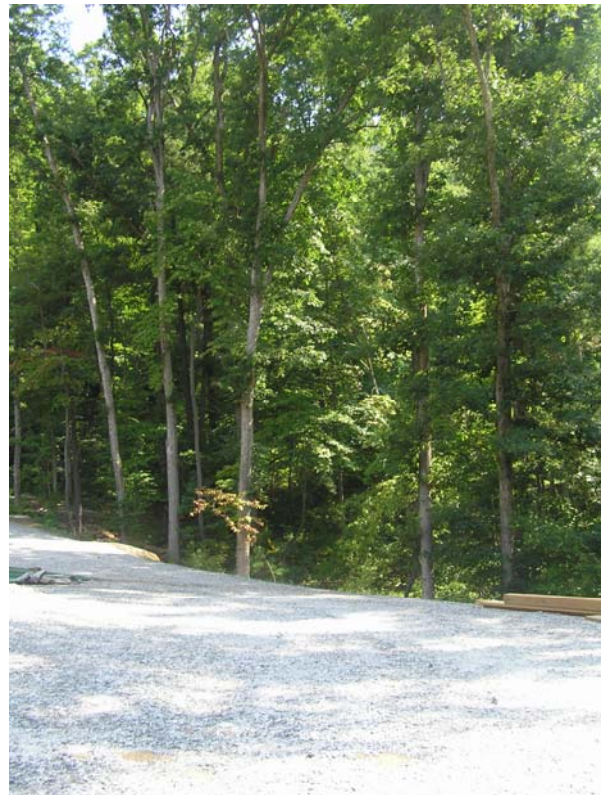
1. **Subdivision Names.** The final plat shall contain certification that the public records of the County have been searched and the proposed subdivision name meets the standards set forth in this Chapter (LDC §200A-81 G).
2. **Subdivision Signs.** All major subdivisions may provide for, at the primary entrance, a community identification/subdivision sign to conform to the sign regulations of Article VII. Such signs should be located in dedicated sign easements, which must be shown on the final plat (LDC §200A-81 G).
3. **Road Frontage and Off-Site Access.** Any tract of land to be subdivided must have frontage on an existing public (state-maintained) road or a private right-of-way to a public road. Proposed rights-of-way must be capable of supporting a road. Such road rights-of-way standards apply within the boundaries of the property being developed (LDC §200A-81 C and J). The project site proposes a private 30-foot right-of-way as access to Ciccone Road. As the proposed right-of-way falls completely within Michelle and Ben Smiths property, the applicant must provide staff with a “Right of Way Conveyance”, filed by the register of deeds,

permitting use of this off-site access. Any proposed right-of-way must be dedicated prior to road construction and prior to plat recordation. The proposed r-o-w shall be shown on the final plat.

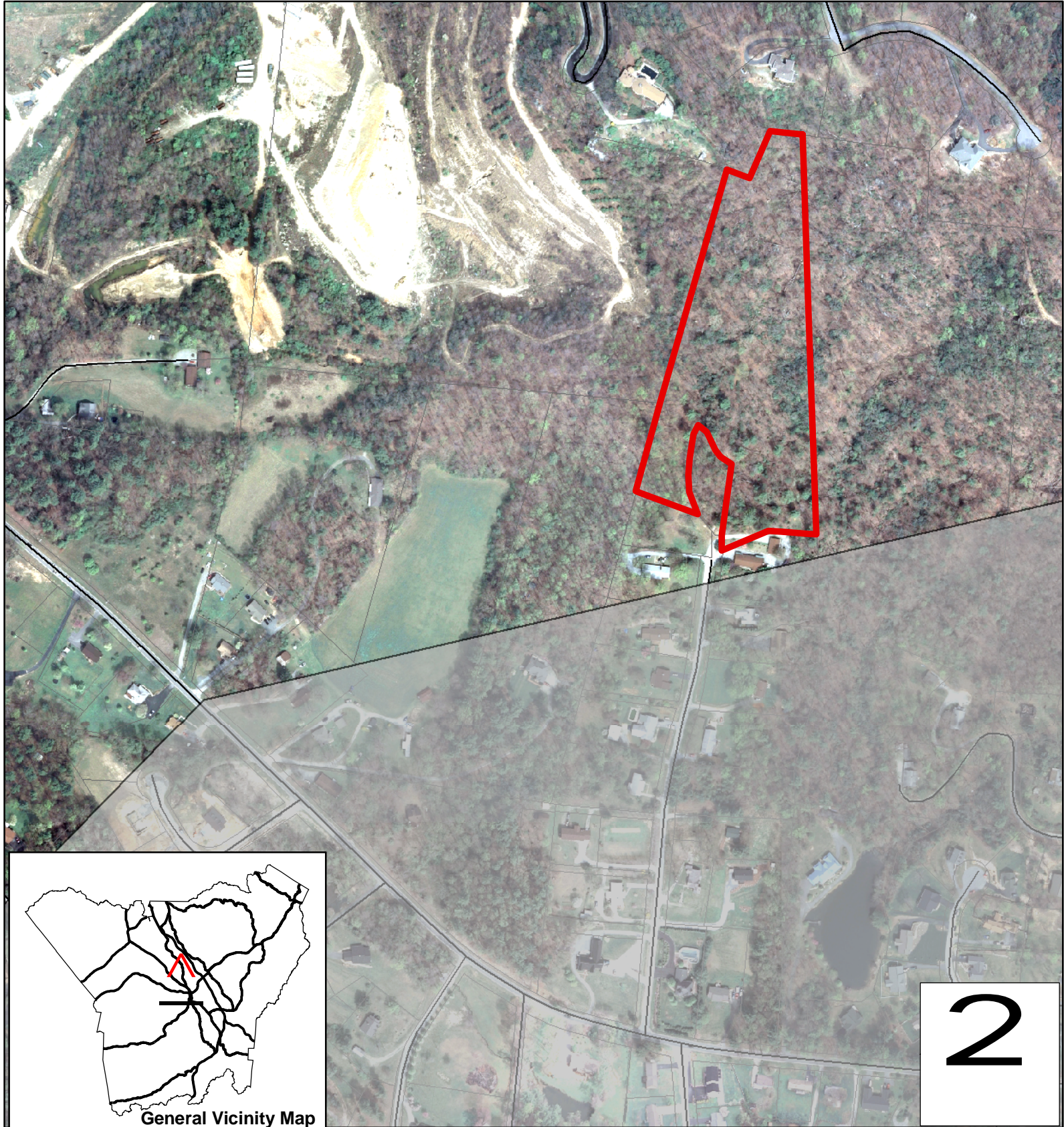
4. **Soil Erosion and Sedimentation Control Plan.** The Applicant shall submit written notice from the appropriate local agencies verifying that an Erosion and Sedimentation Control Plan has been received or a written notice from a professional land surveyor, engineer, landscape architect, architect, or professional planner certifying that no plan is required (LDC §200A-81 A).
5. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the miscellaneous advisory provisions contained in LDC §200A-81 S.
6. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §200A-311 B(2)).



View of the approach to the project area looking north



View of the project area looking north.




General Vicinity Map

2

# Stone Ridge Major Subdivision

OWNER/DEVELOPER: Scott and Sharon Orr  
 ZONING: R1

-  Streets
-  Project Area
-  Municipal Limits
-  Municipal ETJ

Map Created by the Henderson County Planning Department on 8/13/09  
 See Master Plan for exact location of project.

**HENDERSON COUNTY  
SUBDIVISION APPLICATION FORM**  
(Please fill out all applicable items)

**SUBDIVISION INFORMATION**

Subdivision Name: Stone Ridge  
Subdivision Type (Circle One):  Major    Minor    Non-Standard    Special  
Proposed Use of Property (Circle One):  Residential    Commercial    Industrial  
Conservation Subdivision:    Yes     No    Gated entrance to property:    Yes     No  
Existing Number of Lots: 1    Total Number of Proposed Lots: 8  
Total Number Proposed Units: (upto) 8    Proposed Density (units per acre): 1-2  
Road System:    ( ) Public     Private    ( ) Combination Public and Private  
Water System:  Individual    ( ) Community    ( ) Municipal  
Sewer System:  Individual    ( ) Community    ( ) Municipal

**PARCEL INFORMATION**

PIN: 9650-90-8841    Total Acreage: 8.07    Deed Book/Page: 1319/138 Township Hendersonville  
Location of property to be divided: End of Ciccone Drive off Stony Mountain Rd.

Zoning District: R1    Fire District: Mountain Home  
Water Supply Watershed: (4) WS-IV    School District: Hendersonville

Any portion of property within or containing the following:

Floodplain or floodway:    Yes     No    Perennial streams:    Yes     No  
Protected mountain ridges:    Yes     No    Cemetery:    Yes     No  
Within 1/2 mile of a Farmland Preservation District:    Yes     No  
Adjacent to a Farmland Preservation District:    Yes     No

**CONTACT INFORMATION**

**Property Owner:**

Name: Scott & Sharon Orr    Phone: 243-1947; 243-4344  
Address: 520 Fitzsimmons St.    City, State, Zip: Hendersonville, NC 28792

**Applicant:**

Name: \_\_\_\_\_    Phone: \_\_\_\_\_  
Address: \_\_\_\_\_    City, State, Zip: \_\_\_\_\_

Agent: Agent Form (Circle One):    Yes    No

Name: \_\_\_\_\_    Phone: \_\_\_\_\_  
Address: \_\_\_\_\_    City, State, Zip: \_\_\_\_\_

**Plan Preparer:**

Name: \_\_\_\_\_    Phone: \_\_\_\_\_  
Address: \_\_\_\_\_    City, State, Zip: \_\_\_\_\_

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

Sharon Orr    Sharon Orr    8-3-09  
Print Applicant (Owner or Agent)    Signature Applicant (Owner or Agent)    Date

**County Use Only**





Jerry D. Dugain & wife  
Barbara A. Dugain  
Deed Book 954, Page 490  
PIN:9650-91-6914

Daniel L. Angerstein  
Deed Book 890, Page 67  
Lot 4, Slide 1998  
PIN:9650-91-8996

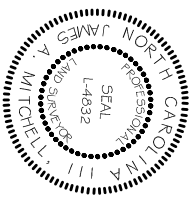
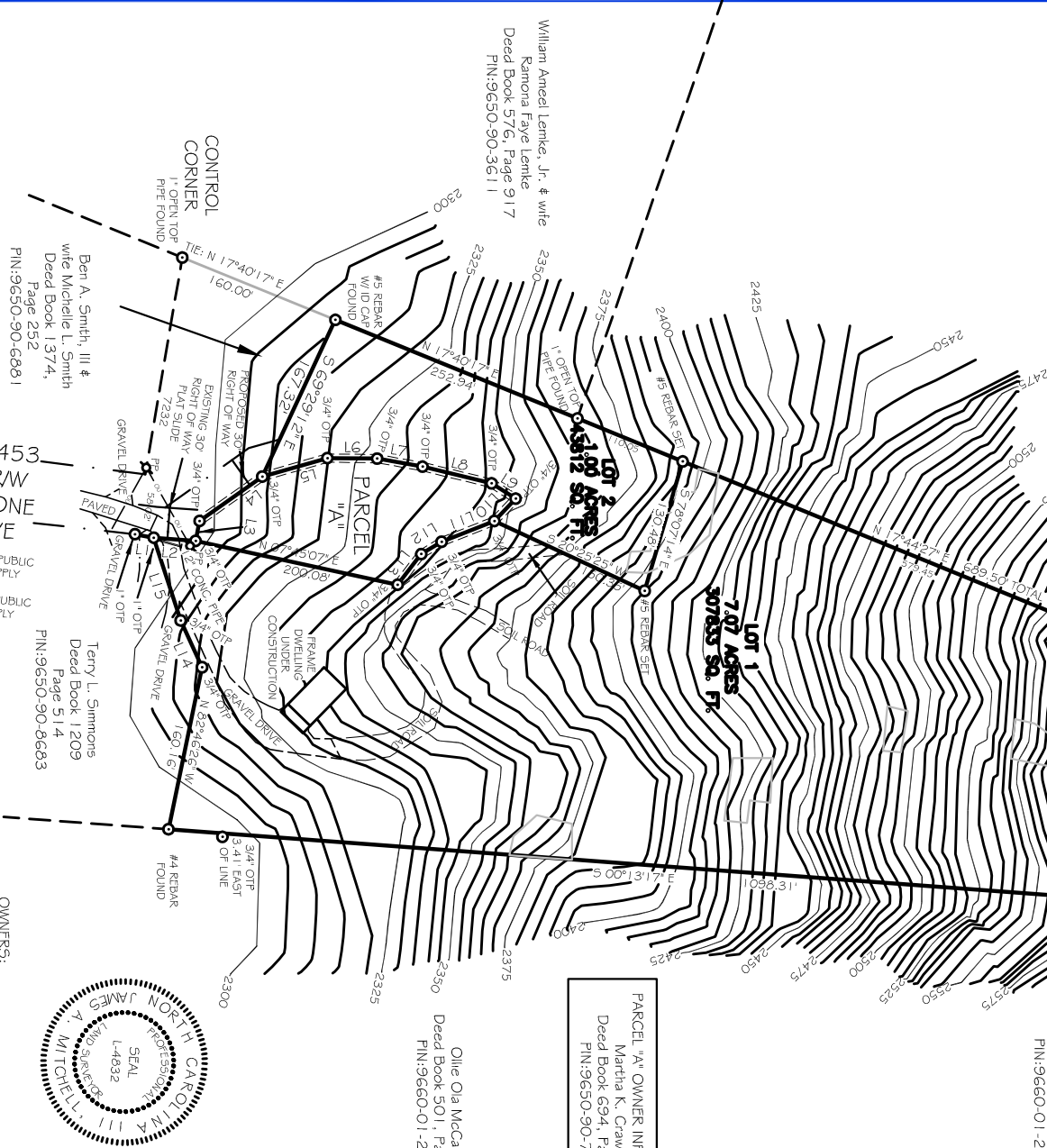
Henderson County Board of Commissioners  
Deed Book 660, Page 17  
PIN:9650-92-0038

Ollie Ola McCarty  
Deed Book 501, Page 277  
PIN:9660-01-2183

LINE	BEARING	DISTANCE
L1	TIE S 06°09'05" W	18.51'
L2	S 00°11'49" E	40.68'
L3	S 83°15'15" E	19.62'
L4	N 39°48'13" W	74.38'
L5	N 20°21'14" W	65.45'
L6	N 03°53'29" W	48.20'
L7	N 05°31'48" E	44.57'
L8	N 09°08'46" E	68.81'
L9	N 27°52'37" E	27.51'
L10	S 50°56'04" E	29.92'
L11	S 25°59'55" E	54.85'
L12	S 35°34'51" E	23.00'
L13	S 56°53'12" E	37.42'
L14	S 60°56'29" W	49.75'
L15	S 67°28'39" W	84.28'

**PARCEL "A" OWNER INFORMATION**  
Martha K. Crawford  
Deed Book 694, Page 338  
PIN:9650-90-7831

Ollie Ola McCarty  
Deed Book 501, Page 277  
PIN:9660-01-2183



**OWNERS:**  
Scott Orr & wife Sharon Orr  
703 Ciccone Drive  
Hendersonville, NC 28791  
828.638.7093

**LEGEND**

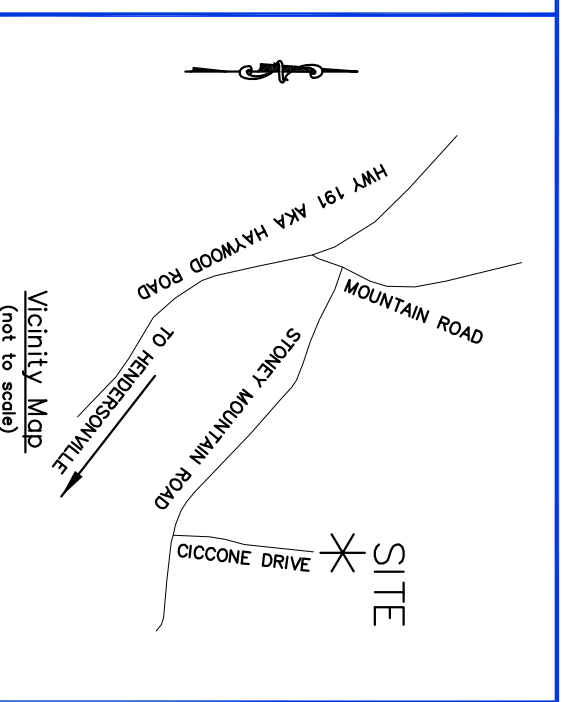
- = Set #5 Repair or Iron Found (as noted)
- = Monument or Planted Stone Found (as noted)
- = point not set. (typ.)
- OTF = Open top pipe
- FP = Utility Pole
- = Areas of 60 percent slope per GIS website.

N.C. PROFESSIONAL LAND SURVEYOR  
L4832  
LICENSE #

I, JAMES A. MITCHELL, III, N.C. P. L.S., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. (PROPERTY DESCRIPTION RECORDED IN DEED BOOKS AS SHOWN); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED BY DASHED LINES AS DRAWN FROM INFORMATION FOUND IN DEED BOOKS AS SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 11 TO 0.000 OR GREATER; THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH G.S. 47-50 AS AMENDED.

I ALSO HEREBY CERTIFY THAT THIS SURVEY IS OF THE FOLLOWING CATEGORY AS DESCRIBED IN G.S. 47-30(b)(1):  
(a) THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;  
WITNESS MY SIGNATURE, LICENSE NUMBER, AND SEAL THIS 28TH DAY OF AUGUST, A.D., 2009.

**NOTE:**  
THE PRIVATE ROADS INDICATED ON THE FINAL PLAT MAY NOT MEET THE REQUIREMENTS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR ACCEPTANCE INTO THE STATE ROAD SYSTEM.



**Vicinity Map**  
(not to scale)

**NOTES**

- This survey is of an existing parcel or parcels of land.
- Total Area = 8.07 ACRES.
- All areas calculated by coordinate computation method.
- This survey was prepared without benefit of abstract title and matters of title should be referred to an attorney-at-law.
- This survey may be subject to all rights of way, easements, reservations and restrictions, written and unwritten, recorded and unrecorded.
- The certification shown hereon is not a certification of title, zoning or freedom from encumbrances.
- Adjoining property owner information taken from the Henderson County GIS website.
- No underground utilities were located. Call 1-800-632-4849 before digging.
- No horizontal control found within 2000 feet.
- Based on geographical information this property lies in Zone X, areas of special flood hazard are shown on the Flood Hazard Insurance Rate Map 3701 28 0001 0004 effective date January 20, 1982.
- Any stream, creek, ponds, lakes, wetlands, etc. located on this property, shown or not shown hereon, may be subject to water areas. It is the responsibility of the property owner to determine the nature and extent of any personal(s) authorized by the proper authorities for water such determination.
- All distances shown hereon are horizontal ground distances unless otherwise noted.
- The property shown hereon is zoned as R-1, setbacks are 15' on the front and 10' on the sides and rear.
- The property shown hereon lies within a watershed area designated as WS IV/F.
- The roads shown hereon are private roads.
- Contours taken from the Henderson County GIS website.
- The property shown hereon has approximately 0.50 Acres of land with a slope of 60 percent or greater per Henderson County GIS website.
- The water and sewer systems shall be private. The distance to public water and sewer systems was not obtained.
- The lot shown hereon has a proposed Residential Density of 1/6 permitted dwelling units.
- The density of this project is 1 new dwelling unit for 8.07 Acres.

**Combined Master and Development Plan of Major Subdivision for STONE RIDGE**

REFERENCES:  
PIN:9650-90-8841  
DB 1319 PG. 138  
PLAT SLIDE 7232

TOTAL AREA = 8.07 ACRES  
Hendersonville Township, Henderson County, N.C.  
DATE: 08-28-09 DRAWN BY: J. STENCER  
JOB #0907-1 CHECKED BY: J. MITCHELL

James A. Mitchell III, PLS  
57 Otzen Church Road Lot 12  
Asheville, NC 28805  
828.606.1901

