

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY

Technical Review Committee

MEETING DATE: January 21, 2020

SUBJECT: Major Site Plan for Van Dam Family Cemetery located on Cabin Creek Road just before Maybin Road.

PRESENTER: Toby Linville, Code Enforcement Director

ATTACHMENTS:

1. Staff Report
2. Photographs
3. Site Plan

SUMMARY OF REQUEST:

Major site plan review for a family cemetery.

Suggested Motion:

I move to approve/deny the site plan for Van Dam Family Cemetery because it meets/fails the requirements of the Land Development Code.



Henderson County, North Carolina Code Enforcement Services

1. Board Request

- 1.1. **Applicant:** Robin Van Dam
- 1.2. **Request:** Major Site Plan Review for a family cemetery
- 1.3. **PIN:** 9555636855
- 1.4. **Size:** .06 acres from 10.43 acres
- 1.5. **Location:** The subject area is located on Cabin Creek Road just before Maybin Road.
- 1.6. **Supplemental Requirements:**

SR 5.3. Cemetery, Family

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Plot Setback. Plots shall be:
 - a. Twenty (20) feet from any property line.
 - b. One hundred (100) feet from any structure.
 - c. One hundred (100) feet from an existing well.
 - d. One hundred (100) feet from the high-water mark of any spring, stream, lake, reservoir or other know source of water. Family cemeteries shall not be located in a *special flood hazard area*.
- (3) Security. The family cemetery shall be enclosed by a fence or wall at least four (4) feet in height constructed of metal, masonry or stone.
- (4) Private/Public Easement. A minimum twenty (20) foot private or public *easement* shall be recorded to provide access to a family cemetery.
- (5) Certification, Licensure and Permitting. A family cemetery shall comply with all applicable local, state and federal environmental and public health laws (including the requirements of N.C.G.S. 65-Cemeteries).
- (6) Plat. A family cemetery shall be recorded on a plat in the Register of Deeds office.
- (7) Marker. Each container of human remains shall be buried beneath the surface of the ground and shall be indicated by a permanent visible marker or monument. The marker or monument should be made of granite or bronze, mounted on at least a four inch concrete base and have a minimum dimension of one (1) foot wide by two (2) feet tall and be four (4) inches thick. The marker should be placed as soon as practicable after the remains are interred and shall bear the name, year of birth and year of death of the deceased.
- (8) Responsibility. The owner of any property which contains all or part of a family cemetery is responsible for maintaining the family cemetery in compliance with local, state and federal regulations.

Map A: Aerial Photo/Pictometry



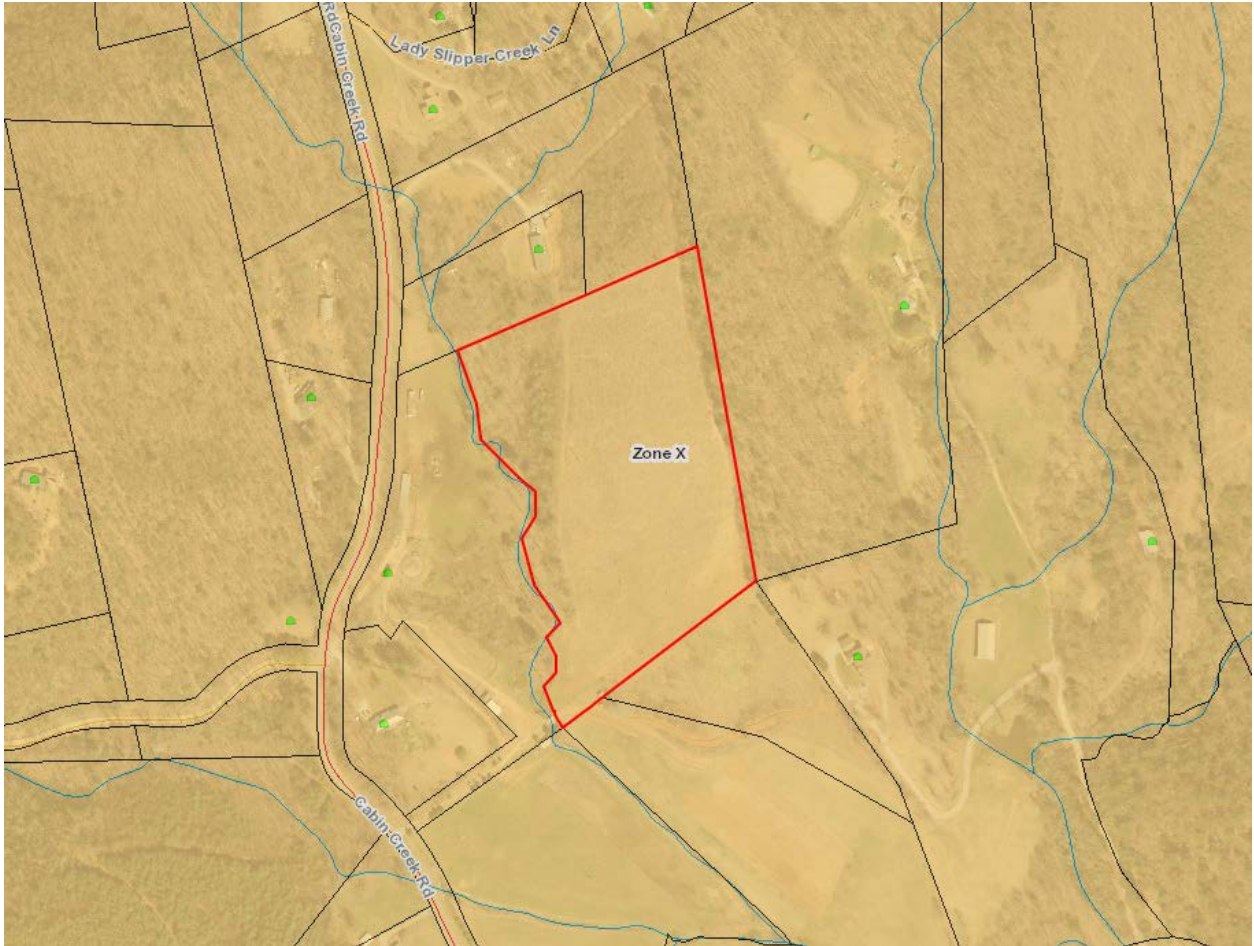
2. **Current Conditions**

2.1 Current Use: This parcel is currently vacant.

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

2.3 Zoning: The surrounding properties are zoned Residential 2 Rural (R2R).

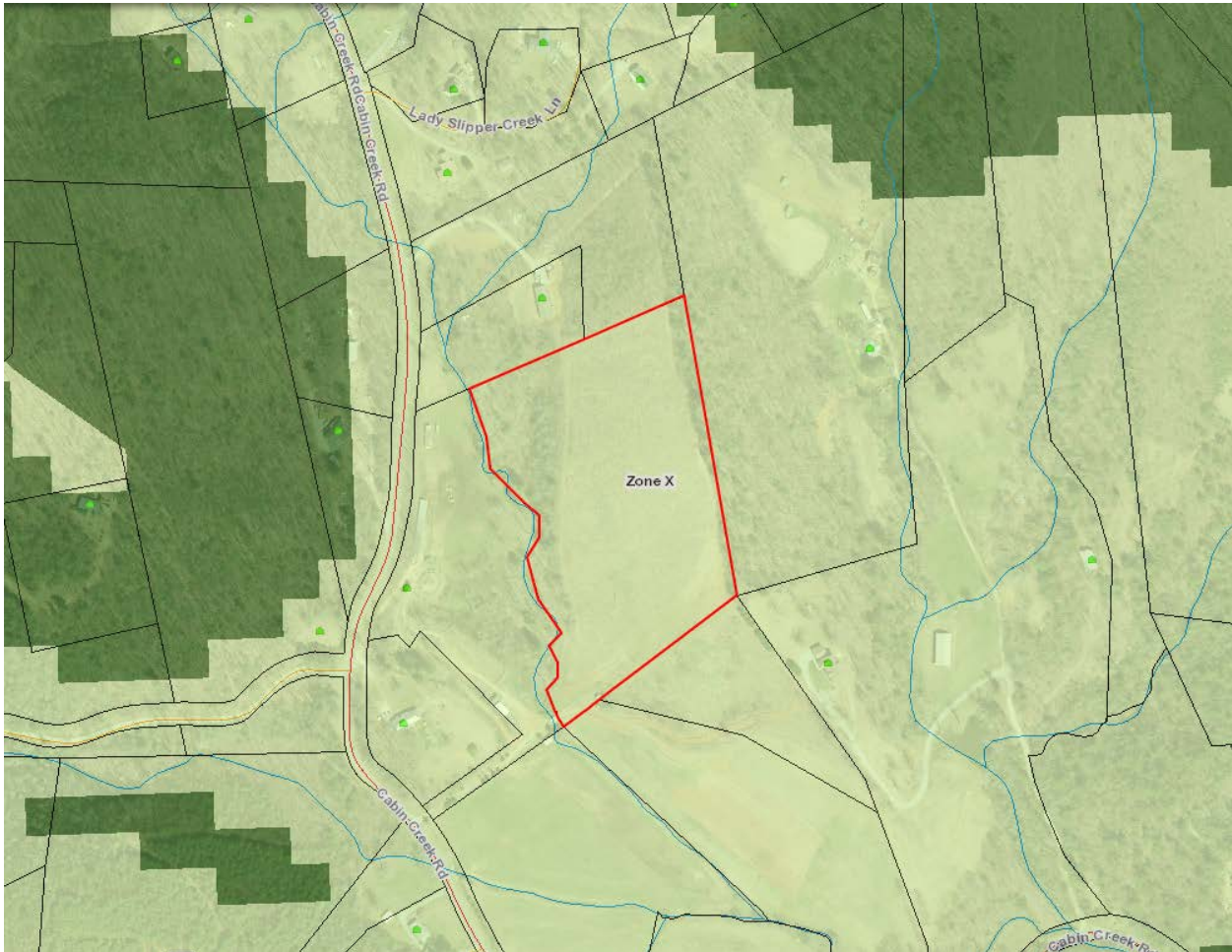
Map B: Current Zoning



3. **Floodplain /Watershed Protection:** The parcel is not in special flood hazard area. The property is not in a Water Supply Watershed district.

4. **Water and Sewer:** Individual.

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 / Agricultural Area (RAA). 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. Slopes are typically steep, often exceeding 10%, with significant areas greater than 20%,” (2020 CCP, Pg. 136).

6. Staff Recommendations

Staff’s position at this time, under the guidelines of current plans, policies and studies, is to recommend approval of the major site plan because it is consistent with the current surrounding land uses and future land use recommendations.

7. Site Plan



**HENDERSON COUNTY
SUBDIVISION APPLICATION FORM**

(Please fill out all applicable items)

SUBDIVISION INFORMATION

Subdivision Name: Van Dam Family Cemetery

Subdivision Type (Circle One): Major 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: 2
 Total Number Proposed Units: N/A Proposed Density (units per acre): N/A
 Road System: () Public () Private () Combination Public and Private
 Water System: () Individual () Community () Municipal
 Sewer System: () Individual () Community () Municipal

PARCEL INFORMATION

PIN: part of 9555-63-6855 Total Acreage: 10.43 Deed Book/Page: 1609/705 Township Green River

Location of property to be divided: Hwy 25 South to Right onto Green River Road, then Right onto Cabin Creek Road, property is on Right just before Maybin Road

Zoning District: R2R Fire District: 06 Green River
 Water Supply Watershed: No School District: Hillandale/Flat Rock Middle/East High

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 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: Robin Van Dam Phone: 702-4734
 Address: 8246 Pinnacle Mountain Road City, State, Zip: Zirconia, NC 28790

Applicant:

Name: same as owner Phone: _____
 Address: _____ City, State, Zip: _____
 Agent: Agent Form (Circle One): Yes No
 Name: N/A Phone: _____
 Address: _____ City, State, Zip: _____

Plan Preparer:

Name: David C. Huntley & Assoc., Inc. Phone: 828-693-8077
 Address: 675 Maple Street City, State, Zip: Hendersonville, NC 28792

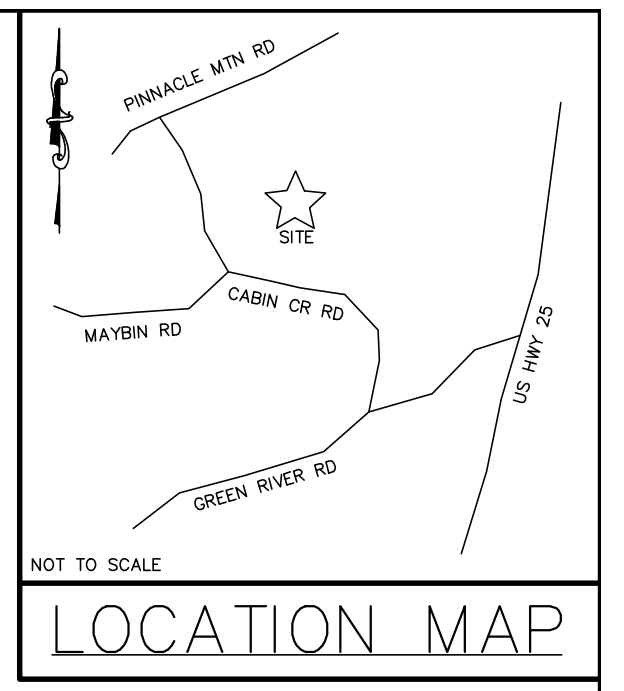
I certify that the information shown above is true and accurate and is in conformance with the Subdivision regulations of Henderson County.

FAITH ROBIN VAN DAM David C. Huntley 1/9/2020
 Print Applicant (Owner or Agent) Signature Applicant (Owner or Agent) Date

Fee: \$ _____ Paid: _____ Method: _____ Final Plat Approved On: _____

PLAT NORTH (SLIDE 6245)

THERE ARE NO EXISTING CEMETERIES LOCATED ON THIS PROPERTY
 THIS PROPERTY IS NOT LOCATED WITHIN 1/2 MILE OF AN AGRICULTURAL DISTRICT
 THIS PROPERTY IS IN THE R2R ZONING DISTRICT
 BUILDING SETBACKS ARE:
 FRONT =15' FROM FRONT OR R/W
 SIDES & REAR =10' FROM PROPERTY LINES
 THERE IS A PERENNIAL STREAM LOCATED IN THE NW OF THIS PARENT PARCEL
 THIS PROPERTY IS NOT LOCATED WITHIN A WATER SUPPLY WATERSHED
 THERE ARE NO PROTECTED RIDGES LOCATED ON THIS PROPERTY
 THESE STATEMENTS ARE MADE PER INFORMATION FOUND ON HENDERSON COUNTY GIS
 10' CONTOURS ARE SHOWN PER HENDERSON COUNTY GIS



TOTAL AREA
 0.06 AC.
 (2500 S.F.)
 CURRENT OWNER:
 FAITH ROBIN VAN DAM
 part of D.B. 1609, PG. 705
 SLIDE 7905
 part of PIN #9555-63-6855

GOINS
 D.B. 1213, PG. 34
 PIN #9555-64-9256

CURRENT OWNER:
 FAITH ROBIN VAN DAM
 D.B. 1609, PG. 705
 SLIDE 7905
 PIN #9555-63-6855

MOUNTAIN VALLEY BAPTIST CHURCH
 D.B. 1691, PG. 275
 part of D.B. 1662, PG. 396
 D.B. 1509, PG. 435
 PIN #9555-73-5451

VAN DAM
 D.B. 1412, PG. 187
 TRACT 2
 SLIDE 7905
 PIN #9555-63-2674

VAN DAM
 D.B. 1346, PG. 164
 PIN #9555-63-9632

CAPPS
 D.B. 1412, PG. 185
 SLIDE 7905
 PIN #9555-63-9061

CAPPS
 part of D.B. 3383, PG. 180
 PIN #9555-62-4806

I, _____ Review Officer of HENDERSON County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer _____ Date _____

I, _____ Subdivision Administrator for HENDERSON County, certify that this plat/plan has been reviewed and approved as a SPECIAL SUBDIVISION in accordance with the HENDERSON County Subdivision Ordinance.

Subdivision Administrator _____ Date _____

This plat was presented for registration and recorded in this office in Plat Slide _____ this the _____ day of _____ 2019 A.D. at _____ o'clock _____ M.

Register of Deeds _____

Deputy or Assistant _____

I, David C. Huntley, Professional Land Surveyor, certify that the lot(s) created by this plat are served and accessed by a recorded driveway easement shown hereon. This easement may or may not meet the standards for roads serving subdivisions in the Henderson County Land Code. Neither the undersigned nor Henderson County certify whether this easement meets such standards.
 This 7th day of January, 2020

David C. Huntley
 David C. Huntley PLS L-3204

Maintenance responsibility of the easement is conveyed to the homeowners utilizing it to access their property

Easement must be maintained to allow clear passage for emergency response vehicles

Area was determined by Coordinate Computation.

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

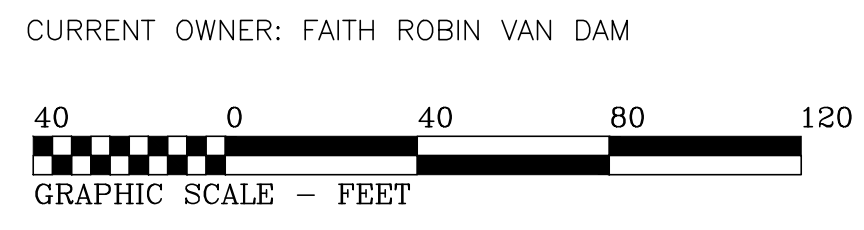
I, David C. Huntley, certify that this plat was drawn under my supervision from an actual survey made under my supervision (Deed description recorded in Bk. 1609, Pg. 705); that the boundaries not surveyed are clearly indicated as drawn from information found in Bk. N/A, Pg. N/A; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S.47-30 as amended. Witness my original signature, registration number, and seal this 7th day of January, 2020.
David C. Huntley
 David C. Huntley PLS L-3204

Course	Bearing	Distance
L1	S 57°26'27" W	50.00'
L2	N 32°33'33" W	50.00' total
L3	N 57°26'27" E	50.00'
L4	S 32°33'33" E	50.00'
L5	S 64°17'08" E	23.51' tie line

DEED REF:
 part of D.B. 1609, PG. 705

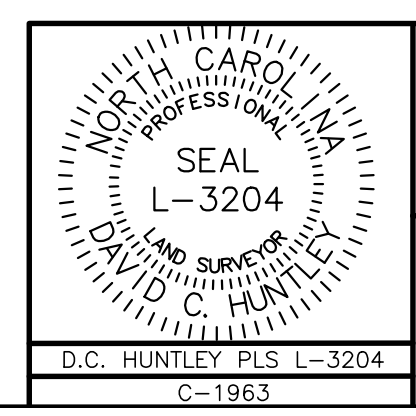
PLAT REF:
 SLIDE 6245

part of PIN #9555-63-6855



CURRENT OWNER: FAITH ROBIN VAN DAM

- LEGEND
- EIP EXISTING IRON PIN
 - NIP NEW IRON PIN
 - PT UNMARKED POINT
 - CONC. MON. CONCRETE MONUMENT
 - PP POWER POLE
 - LP LIGHT POLE
 - C CENTER LINE
 - R/W RIGHT OF WAY
 - CONC. CONCRETE
 - REF REFERENCE
 - OHU OVERHEAD UTILITIES



STATE OF NORTH CAROLINA
 HENDERSON COUNTY
 GREEN RIVER TOWNSHIP

VAN DAM FAMILY CEMETERY
 MAJOR SITE PLAN FOR
 FAITH ROBIN VAN DAM

DAVID C. HUNTLEY & ASSOCIATES, INC.
 675 MAPLE STREET
 HENDERSONVILLE, NC 28792
 (828) 693-6077

SURVEY DCH
 DRAWN KMC
 SCALE 1" = 40 FT.
 DATE: 01/04/20
 DWG. NO. H-7325