

Buncombe County Planning Board
March 3, 2014

The Buncombe County Planning Board met March 3, 2014 in the meeting room at 30 Valley Street. Members present were Vice Chairman Bernie Kessel, Michelle Pace Wood, Josh Holmes, Joe Sechler, Catherine Martin, and Bud Sales. Also present were Josh O'Conner, Zoning Administrator; Michael Frue, Staff Attorney; and Gillian Phillips and Debbie Truempy, Planning staff.

Call to Order

Vice Chairman Kessel called the meeting to order at 9:35 am.

Approval of Agenda

Mr. Holmes made a motion to approve the agenda. Ms. Wood seconded the motion and the motion passed unanimously.

Approval of Minutes (February 17, 2014)

Ms. Wood made a motion to approve the minutes as revised with the following language added to page 1 of the minutes: *(Mr. Phillips was present as an applicant and not as a member of the Board, and indicated he recused himself. The Board did not vote on the recusal.)* Ms. Martin seconded the motion and the motion passed unanimously.

SUB2014-00020: "Biltmore Lake, Lot 1023," located at 757 Wickham's Fancy Drive (PIN 9616-78-0964) is seeking preliminary approval.

The Board was provided with the preliminary plans (Attachment A) prior to the meeting. There were no proposed staff conditions for the subdivision. Ms. Truempy introduced the case to the Board. She indicated that the road was complete in front of the lot and the water and sewer lines were present. Ms. Truempy stated that the lot just needed approval from the Planning Board and was the result of a previous recombination of land. Lee Thomason was present to represent the case. The Board asked a few questions regarding the case and Mr. Holmes made a motion to grant the subdivision preliminary approval as submitted. Mr. Sales seconded the motion and the motion was approved unanimously.

ZPH2014-00008 Discussion of zoning language regarding the creation of an Airport Industrial District

The Board was provided with the language at the meeting (Attachment E). Mr. O'Conner presented the proposed language to the Board. Mr. O'Conner reviewed the changes to the permitted table that had been added at the Airport's request. He also indicated that staff had added a use to the permitted use table of medical clinics. There was further discussion regarding personal landing strips. Ms. Wood made a motion to advertise the language as soon as possible. Ms. Martin seconded the motion and the motion passed unanimously.

Adjournment

There being no public comment, Mr. Holmes made a motion to adjourn the meeting. Mr. Sales seconded the motion and the motion passed unanimously. The meeting was adjourned at 9:59 am.

ATTACHMENT A

- NOTES:
- 1.) THIS PROPERTY IS NOT LOCATED WITHIN THE 100 YEAR FLOOD HAZARD AREA.
 - 2.) SURVEY INFORMATION PROVIDED BY: NC SURVEY, P.C. 96 CENTRAL AVENUE ASHEVILLE, NC 28801
 - 3.) NO WALLS ARE PROPOSED.
 - 4.) THE EXISTING ROAD IS PRIVATE & TURNED OVER TO BILTMORE LAKE HOMEOWNERS ASSOC.
 - 5.) THE SITE IS ENTIRELY WOODED EXCEPT FOR ROAD CONNECTION POINT.
 - 6.) WATER, SEWER, ELECTRICAL, TELEPHONE AND NATURAL GAS ARE UNDERGROUND AND OWNED BY THE UTILITY COMPANIES.
 - 7.) NO KNOWN CEMETERIES ARE LOCATED ON THE PROPERTY.
 - 8.) EXISTING LAND IS VACANT.
 - 9.) NO NEW ROADWAYS ARE PROPOSED
 - 10.) 2" CONTOURS & SURVEY INFORMATION PROVIDED BY: NC SURVEY, P.C., 50 NORTH MERRIMON AVE., ASHEVILLE NC 28804
 - 11.) THIS SUBDIVISION IS NOT A DRASTIC VARIATION HILLSIDE DEVELOPMENT.
 - 12.) NATURAL AVERAGE SLOPE OF THE PROJECT AREA IS 23%

SUB2014-00020

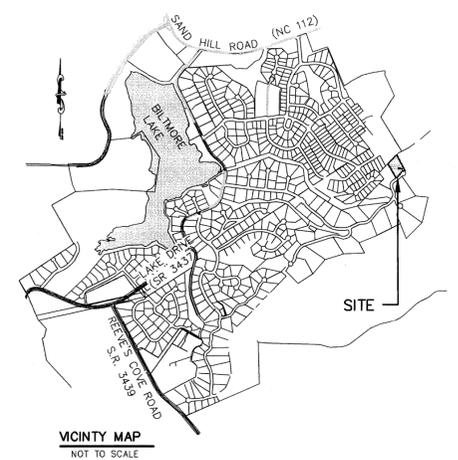
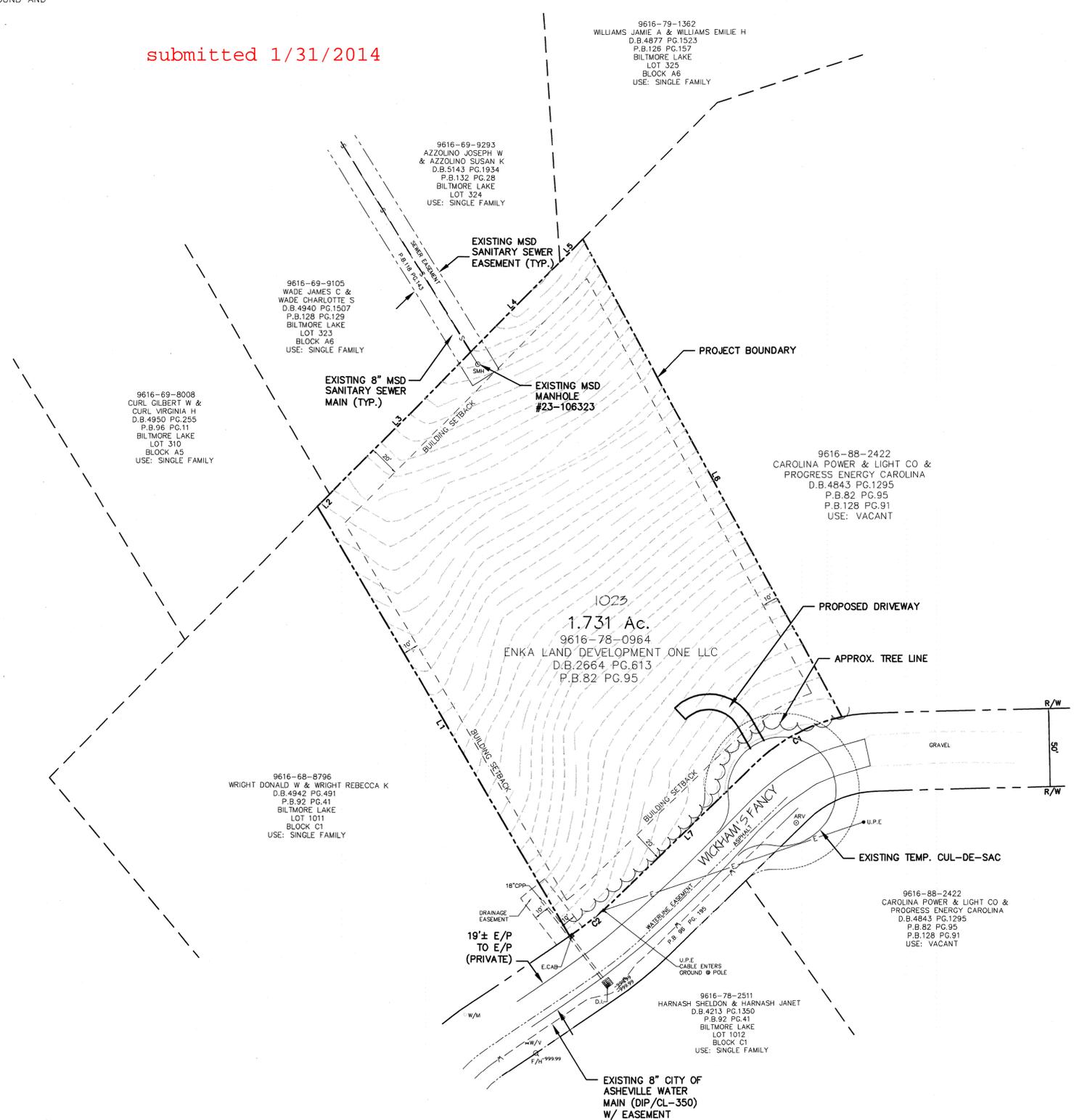
submitted 1/31/2014

granted preliminary approval with no conditions at the 3/3/2014 planning board meeting

DEVELOPMENT BLOCK:

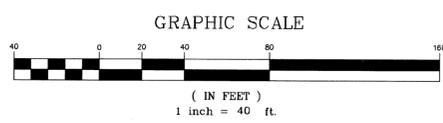
PROJECT NAME: BILTMORE LAKE LOT 1023
 PROJECT ADDRESS: 757 WICKHAM'S FANCY
 OWNER/DEVELOPER: ENKA LAND DEVELOPMENT ONE, LLC
 ONE TOWN SQUARE BLVD, SUITE 330
 ASHEVILLE, NC 28803
 (828) 209-2000
 CONTACT PERSON: LEE THOMASON
 ONE TOWN SQUARE BLVD, SUITE 330
 ASHEVILLE, NC 28803
 (828) 209-2000
 ENGINEER: WILLIAM R. BUJE, P.E.
 WILLIAM G. LAPSLEY AND ASSOCIATES, P.A.
 214 N. KING STREET
 HENDERSONVILLE, NC 28792
 (828) 687-7177
 PIN #: 9616-78-0964
 TOTAL PROPERTY SIZE: 1.731± AC.
 TOTAL # OF PROPOSED LOTS: 1 LOTS
 DENSITY: 1 LOT / 1.731 AC.
 PROPOSED ROAD: 0 LF±
 CORRIDOR 90' OR LESS: 0 LF (100%)
 CORRIDOR 91' TO 135': 0 LF (0%)
 MAX. CORRIDOR HEIGHT: 0'
 DEED REF: D.B. 2664 PG. 0613
 ZONING: R-3 (BUNCOMBE COUNTY)
 TOWNSHIP: LOWER HOMINY CREEK
 BUILDING SETBACKS:

	REQUIRED
FRONT -	20' (from ROW)
SIDE -	10'
REAR -	20'



Line	Bearing	Distance
L1	N 30° 50' 32" W	320.59'
L2	N 44° 38' 40" E	11.27'
L3	N 44° 38' 40" E	129.71'
L4	N 44° 38' 40" E	81.56'
L5	N 44° 38' 40" E	21.11'
L6	S 28° 37' 05" E	352.09'
L7	S 46° 15' 15" W	124.89'

Curve	Radius	Chord Bearing and Distance	Arc Length
C1	115.00'	S 62° 12' 29" W 63.22'	64.04'
C2	225.00'	S 51° 03' 58" W 37.75'	37.79'



WILLIAM G. LAPSLEY & ASSOCIATES P.A.
 Consulting Engineers & Land Planners
 NC License No. C-0556
 214 N. King Street
 Hendersonville, North Carolina 28792
 (828) 687-7177
 wgl.com

Revisions

date: 1/29/14
 job: 14111
 drawn: TWT



WILLIAM G. LAPSLEY & ASSOCIATES P.A.
 CONSULTING ENGINEERS & LAND PLANNERS
 HENDERSONVILLE, NORTH CAROLINA

BILTMORE LAKE
 LOT 1023
 BUNCOMBE COUNTY
 NORTH CAROLINA

SUBDIVISION PLAN

sheet
 C-100

F:\USERS\willg\projects\BiltmoreLake\Lot_1023\project\final\dwg\c-100 site plan.dwg, 1/29/2014, 3:18:37 PM, 1:40

Sec. 78-581. Definitions.**ATTACHMENT B**

Cargo/freight terminals, operations and activities means transportation establishments furnishing services incidental to air, motor freight, and rail transportation including but not limited to freight forwarding services; freight terminal facilities; packing, crating, inspection and weighing services; postal/package service bulk mailing distribution centers; transportation arrangement services; and trucking facilities, including transfer and storage.

Airport means property that is maintained for the landing, refueling and takeoff of aircraft and for the receiving and discharge of passengers and cargo traveling by air, to include aviation related facilities, structures, and property.

Aviation-related means any activity, use, facility, structure, service, property used for any operational purpose related to, in support of, or complementary to the flight of aircraft to and from the airport, to include convenience concessions serving the public.

Medical clinic means a facility for examining, consulting with, and treating patients with medical, dental, or optical problems on an out-patient basis with no overnight admission.

Personal landing strip means a landing strip or heliport for personal use of the tenant or owner of the site, not available for public use, and with no commercial operations.

Sec. 78-640. Statement of district intent.

(j) *Open Use District (OU)*. The OU Open Use District is established as a district in which all uses are allowed by right, except for certain uses that are regulated as conditional uses so as to ensure that neighborhood impact is mitigated. Additionally, those uses which are specific to the Airport Industry District (AI) are excluded from the OU Open Use District. The neighborhood impact from conditional uses will be mitigated through the use of minimum specific site standards combined with general standards which provide the flexibility to impose a higher level of specific site standards dependent upon the degree of neighborhood impact. No zoning permit shall be required for permitted uses in the OU Open Use District.

(k) *Airport Industry District (AI)*. The AI Airport Industry District is established as a district that includes but is not limited to airport facilities, aviation related uses, and related aerospace uses. The AI Airport Industry District will also support office uses, industrial uses, storage and warehousing, and wholesale trade either directly related to or dependent upon the aviation industry. Such locations should currently have public water and sewer services available or be expected to have these services in the future. The AI Airport Industry District shall exist in areas below 2500' in elevation.

Sec. 78-641. Permitted uses.

(a) *Permitted use table*. Uses are permitted in the various zoning districts pursuant to Table 1.

Table 1 – Permitted Use Table

Uses	P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted											
	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	<u>AI</u>	BDM	OU
Single-family residential dwelling, including modular	P	P	P	P	P	P	P	P	P		P	P
Duplex/Two-family residential dwelling			P	P	P	P	P	P	P			P
Multifamily residential dwelling units (only one building)			P	P	P	P	P	P	P			
Open-Use Multifamily dwelling (less than six units on single lot)												P
Open-Use Multifamily dwelling (six or more units on single lot)												C
Manufactured/mobile homes-Residential	P			P			P					P
Manufactured/mobile home parks				C								P
Planned unit developments			C	C	C	C	C	C	C	<u>C</u>		P
Subdivisions	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P
Accessory buildings	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P
Adult Entertainment Establishments						C	C					C
<u>Airports</u>										<u>C</u>		
Amusement Parks						C	C	C	C			C
Animal hospitals and veterinarian clinics					P	P	P			<u>P</u>		P
Asphalt Plants							C					C
<u>Aviation-related services and facilities</u>										<u>P</u>		
Banks and other financial institutions					P	P	P	C	C	<u>P</u>		P
Bed and breakfast inns	P		C	P	P	P	P	P	P			P
Campus office use			C		P			P	P	<u>P</u>		P
<u>Cargo/freight terminals, operations and activities</u>						<u>C</u>	<u>P</u>			<u>P</u>		<u>P</u>

Table 1 – Permitted Use Table

Uses	P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted											
	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
Cemetery	P		P	P		P		P	P			P
Chip Mills												C
Churches	P	P	P	P	P	P	P	P	P		P	P
Clubs or lodges				P	C	P	P	P	P	P		P
Concrete Plants							C					C
Day nursery and private kindergarten	C	C	C	C	P	P	P	P	P	P		P
Family care home	P	P	P	P				P	P		P	P
Funeral homes						P	C	P	P			P
Government protective services			P	P	P	P	P	P	P	P		P
Greenhouses, commercial (nursery, lawn and garden products)					P	P	P	P	P	P		P
Hazardous Waste Facilities												C
Home occupations	P	P	P	P	P	P	P	P	P		P	P
Hospitals, nursing homes, assisted living facilities, retirement communities				C		P	P	P	P			P
Hotels and motels						P	C	P	P	P		P
Incinerators												C
Junkyards							C					C
Kennels				C	P	P	P			P		P
<u>Landing Strips</u>				C		C	C	C	C			C
Laundry and dry cleaning services					P	P	C	P	P	P		P
Libraries			P	P	P	P	P	P	P			P
Manufacturing and processing operations						P	P			P		P
<u>Medical Clinics</u>				C	P	P	P	P	P	P		P

Table 1 – Permitted Use Table

Uses	P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted											
	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
Mining and Extraction Operations							C					C
Motor Sport Facilities												C
Motor vehicles maintenance and repair					C	P	P	P	P	P		P
Motor vehicles sales and rental						P	P			P		P
Motor vehicles service stations (fueling stations)					P	P	P	P	P	P		P
National Guard and Reserve Armories						P	P	P		P		P
Nightclubs, bars and pubs					P	P	P		P	P		P
<u>Personal Landing Strips</u>				C		C	C	C	C	C		C
Physical fitness centers					P	P	C	P	P	P		P
Postal and parcel delivery services					C	P	P	P	P	P		P
Printing and lithography						P	P			P		P
Professional and business offices and services					P	P	P	P		P		P
Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks (less than 2 acres in total footprint)	P	P	P	P	P	P	P	P	P	P	P	P
Private utility stations and substations, pumping stations, water and sewer plants, water storage tanks (2 acres or greater in total footprint)	C	C	C	C	C	C	C	C	C	C	C	C
Public utility stations and substations, pumping stations, water and sewer plants, water storage tanks (less than 2 acres in total footprint)	C	C	C	C	P	P	P	P	P	P	C	P
Public utility stations and substations, pumping	C	C	C	C	C	C	C	C	C	C	C	C

Table 1 – Permitted Use Table

Uses	P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted											
	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
stations, water and sewer plants, water storage tanks (2 acres or greater in total footprint)												
Radio, TV and telecommunications towers	C			C		C	C	C	C	P		P
Recreation use, nonprofit	C	C	C	C	P	P	P	P	P	P		P
Recreation use, profit			C	C	C	P	C	P	P	P		P
Repair services (electrical and appliances)					P	P	P			P		P
Restaurants, eating establishments and cafés					P	P	P	P	P	P		P
Retail trade, commercial services, sales and rental of merchandise and equipment (inside building with no outside sales storage)					P	P	C	C	P	P		P
Retail trade, commercial services, sales and rental of merchandise and equipment						P	C		P	P		P
Rooming house			C	P	P	P	C	P	P			P
Schools, public and private		C	C	C		P		P	P			P
Schools--Vocational, business and special schools						P	P	P	P	P		P
Shooting Ranges – Outdoor Commercial									C			C
Slaughtering Plants												C
Solid Waste Facilities – Landfills, Transfer Stations, Materials Recovery							C	C		C		C
Storage and warehousing					C	P	P	P	C	P		P
Theaters						P		P	P			P
Travel trailers				C					P			P

Table 1 – Permitted Use Table

Uses	P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted											
	Districts											
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	CR	AI	BDM	OU
Travel trailer parks				C					C			P
Vacation rentals	P	P	P	P	P	P	P	P	P		P	P
Vacation rental complex				C	C	C	C	C	C		C	C
Wholesale sales						P	P		C	P		P