

TOWN OF FLETCHER

Lee Bowser
Chair

Mike Franklin
Vice Chair



Board Members:
Robyn Mondin
Doug Ferguson
Leslie Cuevas
Jacob Compher
Julia Fogel
Bryan Gilbert

Planning Board Regular Meeting **Town Hall Council Chambers | 300 Old Cane Creek Road** **September 15, 2026 at 6:00 PM**

Call to Order

Public Input

Approval of Minutes of Previous Meeting

- 1) Minutes from the July 21st 2026 meeting

Hearing of Cases

- 1) Standard Rezoning–Vacant Lot Behind 90 Underwood Road (David P. Michaels) (26-17-RZO)– Tyler Morrow, Planning & Zoning Director
- 2) Special Use Permit Review: 67 Old Case Road Campground (26-18-SUP)– Tyler Morrow, Planning & Zoning Director

Other Business

- 1) Reminder: Board Training, Thursday, September 17, 2026, at WCU Biltmore Park, 10:00 a.m. to 4:00 p.m.

Public Input

Adjournment

"This Institution is an equal opportunity provider."

PLANNING BOARD MINUTES

DATE: July 21, 2026
Town of Fletcher
300 Old Cane Creek Road
Fletcher, NC 28732

Type of Meeting: PUBLIC MEETING

Chairman Bowser called a regular meeting of the Planning Board to order at 6:00 PM

BOARD MEMBERS PRESENT:

Lee Bowser (Chairman/ District 2)
Robyn Mondin (At Large/ District 1)
Doug Ferguson (District 4)
Jacob Compher (At Large/ District 3)

Leslie Cuevas (District 3)
Mike Franklin (District 1)
Julia Fogel (At Large/ District 3)
Bryan Gilbert (ETJ)

Public Input: No one from the public spoke at this time.

AGENDA ITEM:	PRESENTED BY:	ACTION TAKEN:
Approval of Minutes from June 16, 2026 meeting	Chairman Bowser	Approval of the minutes, as transcribed
Hearing of Cases		
Special Use Permit for Focus Plus Academy (26-11-SUP)	Tyler Morrow, Planning and Zoning Director; Jill Paterson, Co-Founder and School Director	Recommendation to Town Council to approve the Special Use Permit
Other Business		
Staff Updates	Tyler Morrow, Planning and Zoning Director	None

STAFF PRESENT: Tyler Morrow, Planning and Zoning Director

An audio file of the meeting is available, upon request, for a fee.

Approval of Planning Board minutes: corrections-additions-deletions

Chairman Bowser asked for a motion to approve the minutes.

It was so moved by **Mike Franklin**; seconded by **Bryan Gilbert**. There was no further discussion. The motion carries, all in favor.

AGENDA ITEM 1

Special Use Permit for Focus Plus Academy (26-11-SUP)

Chairman Bowser stated the rules of procedure for a quasi-judicial hearing. He then swore in all persons who would be giving testimony.

Mr. Tyler Morrow entered his staff report into the public record. He said the applicant is seeking a Special Use permit for Focus Plus Academy. The location will be in the existing Fletcher United Methodist Church building located at 50 Library Rd. The property is zoned C-1, general commercial.

Mr. Morrow continued. The applicant proposes to operate Focus Plus Academy within two existing classrooms at a small middle school / high school level, with a maximum enrollment of 25 students. No exterior changes to the building, parking or site is proposed with this project.

The property and surrounding commercial corridor is zoned C-1. Residential zoning is located farther from US-25 along Poteat Street. The site is also part of the established civic area that includes the church, Fletcher Library, and Kate's Park. Schools are allowed as a special use in C-1, so this does not require a rezoning.

Mr. Morrow presented images of the existing entrance on the west side of the building that'll be utilized by the proposed school and the parking area that will be utilized by teachers, parents, and visitors. He presented the image of the existing park located adjacent to the church property providing a nearby recreational and open space amenity to this public institutional use. He showed the image of the existing signalized intersection that will serve as the primary access for vehicles entering and exiting the site.

Mr. Morrow said the school will occupy approximately 700 square feet of existing classroom space with occasional use of the chapel.

- No additions, grading, new impervious surfaces or infrastructure improvements are

proposed.

- Student drop off and pick up will use a separate circulation pattern from the preschool with staggered schedules to minimize conflicts.
- Fifteen (15) parking spaces are allocated to the school- exceeding the minimum required parking. A traffic impact analysis is not required because this project is only expected to generate approximately 60 daily trips.
- School hours will be Monday through Friday from 8:15 to 3:45 with early dismissal on Fridays at 1:45.

Mr. Morrow said the proposal supports the Town's land use plan by expanding local education opportunities while making efficient use of an existing Community facility. Although the property is within the Town Center Business designation, Heart of Fletcher design review is not required because there are no exterior improvements, additions, or substantial renovations occurring. He said he'd be happy to answer any questions that the board may have, and the applicant will also be giving a presentation.

Ms. Jill Paterson and **Mr. Steve Paterson**, the co-founders of Focus Plus Academy presented to the Planning board. **Focus Plus Academy** will be designed to help students who struggle in traditional classrooms. They are bright, capable students who may be dealing with ADHD, executive functioning challenges, autism, or multiple things. In the classroom they struggle with self-starting and with organization. These students need extra support and to be given the skills that they're missing.

Ms. Paterson continued. She said the school will have a low student to staff ratio of 5:1. It will launch in August with grades six to nine, but the plan is to grow to middle through high school, grades 6 through 12 in the future. The school has been approved to accept North Carolina sponsored scholarship funds. The Opportunity Scholarship is on a financial need basis. And the ESA Plus scholarship is for disability. A lot of these students can apply for one or both of these scholarships. The scholarships pay for tuition and other things related to attending private schools. Because of these funds the school is going to be accessible to more families who might not be able to afford tuition without it.

Ms. Paterson said the school plans to be compatible and have a low impact on the community. At maximum there will be up to 25 students and six staff at this location. At start up in August, they will have three to five students; with anticipated growth to ten students the first year.

- The school is going to be utilizing approximately 700 square feet of space inside the church.

- Health and Fire safety inspections are complete.
- Pick up and drop-off times for the school will be staggered with the preschool's schedule to reduce congestion.
- Focus Plus Academy's 15 allotted parking spaces will be in the rear of the church, while the preschool's are in a separate location in front
- No new infrastructure will be created for ingress and egress
- No adverse effect to nearby residents, employees, public welfare, surrounding properties, or public improvements.
- Provides a needed community resource with a small-scale operating plan that's compatible with the property and surrounding area.

Chairman Bowser asked the board if they have any questions.

Mr. Mike Franklin questioned if Kate's Park is open to the public or does the Town reserve it.

Mr. Morrow said as a public park it is open to anyone, but it may be reserved for events.

Mr. Franklin said he wanted to clarify whether Focus School could use it without having to make reservations.

Ms. Paterson said they don't plan to use it regularly for PE. If the park is available It might be a nice day to go there and have a book study.

Mr. Doug Ferguson asked what the intent is for expansion of additional high school grades in the future.

Ms. Paterson said if they outgrow the space then they would cap off their enrollment at that point and start a waiting list until they obtain more space in another location.

Mr. Franklin asked if they plan to add elementary grades.

Ms. Paterson said there will be no elementary students.

Chairman Bowser asked the board if they have any other questions for the parties or witnesses present. They had none.

Chairman Bowser asked for a motion for or against the Special Use permit.

Ms. Robyn Mondin made a motion for approval.

Ms. Leslie Cuevas seconded the motion.

There was no further discussion. The motion carries, unanimously.

Staff updates and other business

Mr. Morrow discussed an upcoming training session, open for the planning board members, to be held at the WCU campus in Biltmore Park. He has sent the members an email regarding this training. He said once he has a head count of those who will attend he will register.

There was no public input.

Chairman Bowser adjourned the meeting at 6:24 PM.

Next meeting: September 15, 2026

Read, approved and adopted this ____ day of _____, 2026

Planning Director

Chairman





TOWN OF FLETCHER PLANNING DEPARTMENT AGENDA ITEM COVER SHEET

Meeting Type: Planning Board	Meeting Date: September 15th 2026
Title of Item: Standard Rezoning–Vacant Lot Behind 90 Underwood Road (David P. Michaels) (26-17-RZO)– Tyler Morrow, Planning & Zoning Director	

SUGGESTED REZONING MOTION(S):

<u>Approval:</u> I move the Planning Board recommend Town Council <u>adopt</u> an ordinance amending the official zoning map of the Town of Fletcher, changing the zoning designation of the subject property from R-1 Low Density Development District to C-2 Interstate Business District finding: 1. The petition is found to be consistent with the Town of Fletcher Land Use Plan based on the information from the staff analysis and the public hearing, and because: The petition proposes for an adequate expansion of commercial areas in designated commercial hubs rather than in continuous strips along major thoroughfares 2. We find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: 1. The proposed rezoning would allow the subject 0.21 acre parcel to share the same zoning designation and development standards as the adjoining parcel from which it derives access. This creates a more logical and consistent zoning pattern for the two properties.	<u>Denial:</u> I move the Planning Board recommend Town Council <u>deny</u> an ordinance amending the official zoning map of the Town of Fletcher changing the zoning designation of the subject property from R-1 Low Density Development District to C-2 Interstate Business District finding: 1. The petition is found to be consistent with the Town of Fletcher Land Use Plan based on the information from the staff analysis and the public hearing, and because: The petition proposes for an adequate expansion of commercial areas in designated commercial hubs rather than in continuous strips along major thoroughfares 2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: 1. The proposed rezoning would extend the existing commercial farther into an area that is currently zoned residential, increasing the interface between commercial and residential zoning. 2. The rezoning has the potential to create additional impacts on the surrounding residential neighborhood by allowing more
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2. The rezoning is not anticipated to create significant adverse impacts on the surrounding residential neighborhood. Due to the parcel's small size of approximately 0.21 acres and its reliance on access through the existing commercial property, any future development would likely occur as an extension of the adjoining commercial site rather than as a standalone commercial development. Existing development standards, buffering, landscaping, lighting, and other Land Development Ordinance requirements would continue to mitigate potential impacts on adjacent residential properties.

intensive commercial uses adjacent to existing single-family properties.

Attachments:

1. Staff Report
2. Proposed Zoning Map
3. Application
4. Deed

TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER



COUNCIL MEMBERS:
TREVOR LANCE
JIM PLAYER
KEITH REED
AMBER MCKINNEY

Standard Rezoning

PIN: 9643-92-2309 (David P. Michaels)
(Behind 90 Underwood Road)
(26-17-RZ0)

Planning Department Staff Report
Tyler Morrow, Planning and Zoning Director

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Project Summary



SITE VICINITY MAP

- **Project Name & Case #:**
 - David Michaels Standard Rezoning
 - 26-17-RZO
- **Applicant:**
 - David P. Michaels
- **Property Owner:**
 - David P. Michaels
- **Property Address:**
 - No address assigned (behind 90 Underwood Road)
- **Project Acreage:**
 - 0.21 Acres

- **Parcel Identification (PIN):**
 - 9643-92-2309
- **Current Parcel Zoning:**
 - R-1 Low Density Development District (2 Units/Acre Residential)
- **Requested Zoning:**
 - C-2, Interstate Commercial District
- **Land Use Plan Designation:**
 - "Not in Use"

Map Amendment Process and Request:



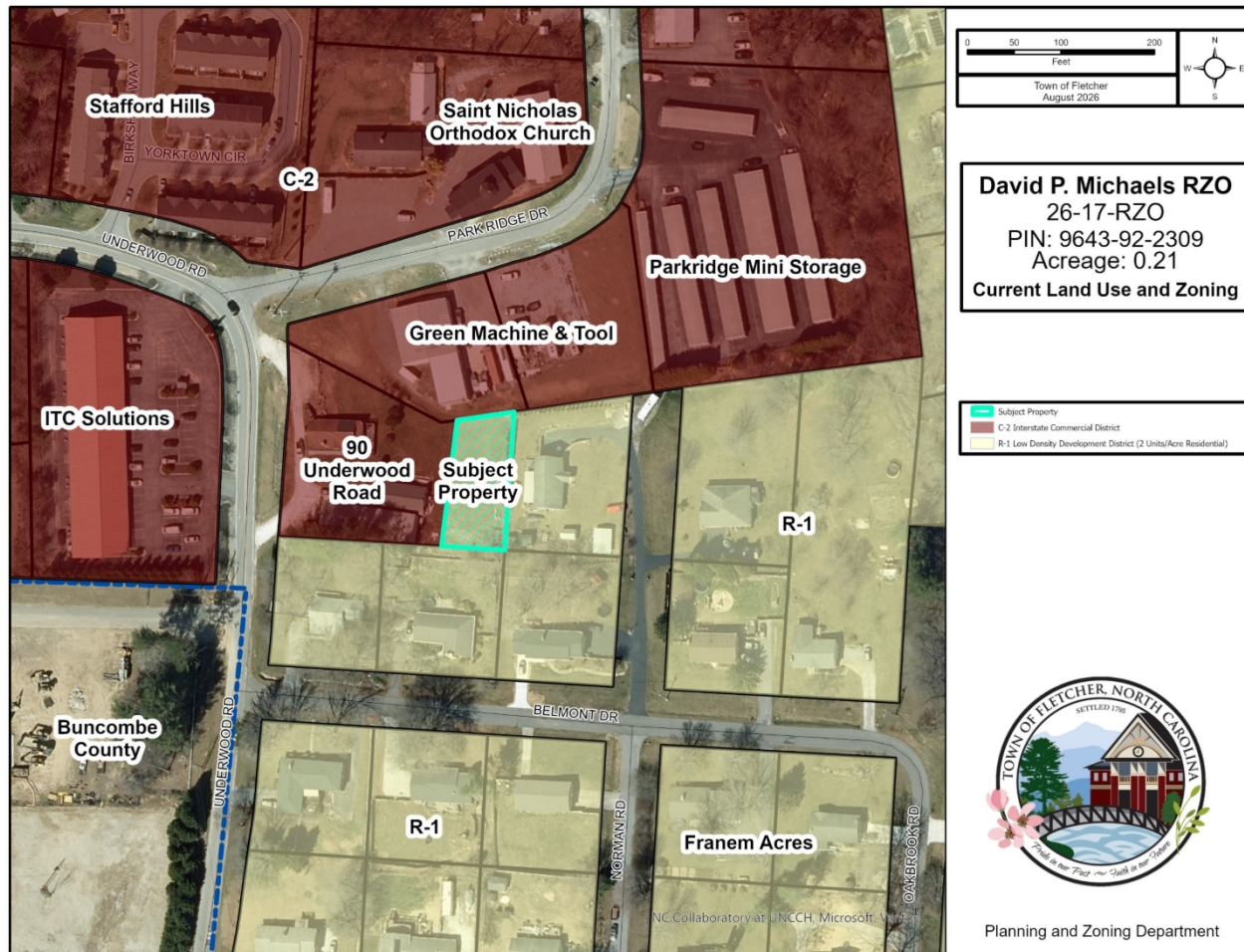
The Planning Board shall review the rezoning request and make a recommendation to the Town Council by majority vote. In its recommendation, the Planning Board shall consider the Comprehensive Plan (Land Use Plan) and state whether the proposed rezoning is consistent with the Plan. Following the Planning Board's recommendation, the Town Council will hold a public hearing and render a decision by majority vote. The Town Council's action shall include findings regarding the proposal's consistency with the Comprehensive Plan and a statement addressing the reasonableness of the proposed rezoning in accordance with N.C.G.S. 160D-605.

The subject property is currently zoned R-1 Low Density Residential District. The property owner also owns the adjacent parcel at 90 Underwood Road, located directly west of the subject property, which is zoned C-2 Interstate Commercial District. Based on available information, it appears the subject property was originally part of a residential lot within the Franem Acres subdivision and was later subdivided and conveyed to the current owner. Following the subdivision, the property retained its residential zoning designation.

It is also important to note that the subject property is landlocked and does not have frontage on a public street. As a result, any future development would require access through an adjoining parcel. Because the applicant owns both the subject property and 90 Underwood Road, it is reasonable to assume that any future access would be provided through 90 Underwood Road.

While the C-2 district permits more intensive commercial uses than the existing R-1 district, the subject property's size of approximately 0.21 acres would make it difficult to develop as a standalone commercial site. If the rezoning is approved and the property is developed commercially, it is likely the subject property and 90 Underwood Road would function as a single, integrated commercial development.

Existing Zoning & Land Use Map and Description



The subject property is currently zoned R-1 Low Density Development District. Based on the parcel configuration, it appears this tract was originally part of a larger residential lot within the Franem Acres subdivision before being subdivided into its own parcel. This conclusion is supported by the fact that the property has no frontage on a public street and no direct access. It is presumed that the parcel was separated from the original residential lot and conveyed with the expectation that access would be provided through the adjoining property at 90 Underwood Road. Parcels without public street frontage are generally prohibited under the Town's current Land Development Ordinance, except in limited circumstances where specific standards are met.

The surrounding area contains a transition between residential and commercial zoning districts. The property at 90 Underwood Road, immediately west of the subject property, marks the beginning of the C-2 Interstate Commercial District corridor that extends along Underwood Road toward Airport Road. In contrast, the Franem Acres subdivision and the surrounding properties to the east are zoned R-1 Low Density Development District. Franem Acres is a traditional single family residential neighborhood characterized by a grid street network and similarly sized lots measuring approximately 125 feet by 140 feet. The area is predominantly developed with single family homes.

Site Images



This site photograph depicts the northern property line, which currently adjoins property zoned C-2 Interstate Commercial District.



This photograph depicts the eastern property line, which currently adjoins property zoned R-1 Low Density Development District.



This photograph depicts the southern property line, which currently adjoins property zoned R-1 Low Density Development District.



This site photograph depicts the western property line, which currently adjoins property zoned C-2 Interstate Commercial District. The adjoining property shown in the photograph is 90 Underwood Road, which is owned by the same property owner and will likely provide access to the subject property if it is developed.

Land Use Plan Consistency:



The proposed development is consistent with the Land Use Plan's 8th goal "To provide for adequate expansion of commercial areas in designated commercial hubs rather than in continuous strips along major thoroughfares"

The proposed rezoning would place both parcels owned by the applicant under the same zoning designation and development standards. Because the subject property is landlocked, its access is dependent upon the adjoining parcel at 90 Underwood Road. Aligning the zoning designation of both properties would allow them to be developed cohesively as a single commercial site rather than under two separate and potentially conflicting zoning districts.

Permitted Use Comparison:

P Permitted

PS Permitted subject to Additional Standards in Chapter 3

SUP Special Use Permit Required (See Chapter 3 and Chapter 15)

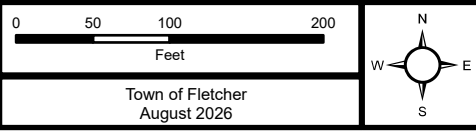
CZ Conditional Zoning (See Chapter 15)

— Not Permitted

Uses	R-1 (Current)	C-2 (Proposed)
Residential		
Dwelling, Single Family (Not part of a PRD)	P	—
Dwelling, Duplex (Not part of a PRD)	P	—
Dwelling, Secondary	PS	PS
Family Care Home (6 or fewer residents)	PS	PS
Home Occupation	PS	PS
Housing Service for the Elderly	—	P

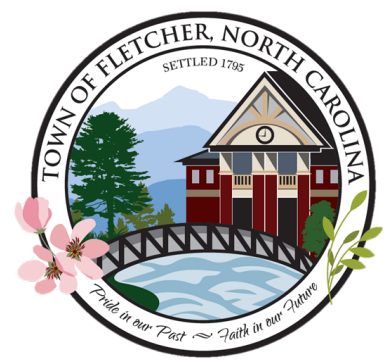
Live Work Units	—	PS
Planned Residential Development (PRD)	SUP	—
Lodging		
Bed and Breakfast Inns	PS	P
Hotels, Motels, Inns	—	P
Office/Service		
Animal Services	—	P
ATM	—	P
Banks, Credit Unions, Financial Services	—	P
Business Support Services	—	P
Child/Adult Day Care Home (6–15 persons)	P	P
Child/Adult Day Care Center (16 or more persons)	PS	PS
Community Service Organization	—	P
Drive Thru Service	—	P
Funeral Homes	—	P
Group Care Facility (More than 6 residents)	—	SUP
Government Services	—	P
Medical Services, Clinic, Urgent Care Center	—	P
Medical Services, Doctor Office	—	P
Outdoor Kennels	—	PS
Professional Services	—	P
Studio, Art, Dance, Martial Arts, Music	—	P
Vehicle Services, Major Repair/Body Work	—	PS
Vehicle Services, Minor Maintenance/Repair	—	PS
Retail/Restaurants		
Auto Parts Sales	—	P
Bar/Tavern/Night Club	—	P
Drive Thru Retail/Restaurants	—	P
Gas Station with Convenience Store	—	P
General Retail, 10,000 sf or less	—	P
General Retail, 10,001 sf to 50,000 sf	—	P
General Retail, 50,001 to 100,000 sf	—	SUP
Restaurant	—	P
Shopping Center, Neighborhood Center	—	PS
Shopping Center, Community Center	—	CZ
Vehicle/Heavy Equipment Sales, Service, Rental	—	PS
Entertainment/Recreation		
Adult Establishment	—	SUP
Amusements, Indoor	—	P
Amusements, Outdoor	—	P
Cultural or Community Facility	SUP	P
Meeting Facilities	SUP	P
Recreation Facilities, Indoor	P	P

Recreation Facilities, Outdoor	P	P
Shooting Range, Outdoor	—	—
Theater, Movie	—	P
Theater, Live Performance	—	P
Manufacturing/Wholesale/Storage		
Agribusiness	P	—
Agricultural Products	PS	PS
Construction Services	—	PS
Laboratory, Medical, Analytical, Research & Development	—	SUP
Laundry, Dry Cleaning Plant	—	P
Manufacturing, Light	—	P
Manufacturing, Neighborhood	—	P
Media Production	—	P
Research and Development	—	P
Wholesaling and Distribution	—	SUP
Cemeteries	P	P
Colleges/Universities	—	P
Hospital	—	P
Public Safety Station	SUP	P
Religious Institutions	SUP	P
Schools, Elementary & Secondary	SUP	P
Schools, Vocational/Technical	—	P
Infrastructure		
Wireless Telecommunication Facility, Stealth	PS	PS
Utilities Class 1	P	P
Utilities Class 2	—	SUP
Utilities Class 4	—	PS



David P. Michaels RZO
26-17-RZO
PIN: 9643-92-2309
Acreage: 0.21
Proposed Zoning

- Subject Property
- C-2 Interstate Commercial District
- R-1 Low Density Development District (2 Units/Acre Residential)



Planning and Zoning Department



Town of Fletcher

Planning and Zoning

300 Old Cane Creek Road, NC 28732

(828) 687-3985

Fax (828) 687-7133

Rezoning Application

Application Number 26-17-RZO

OWNERSHIP INFORMATION:

Property Owner: DAVID MICHAELS

Owner's Address: 90 UNDERWOOD Rd City FLETCHER State NC Zip 28732

LOCATION OF PROPERTY (Address or Description): BEHIND 90 UNDERWOOD

PIN # 9643922309 PID# 700276

Current Land Use: VACANT LOT

Size (Square Feet or Acres): .21 ACRES

ZONING REQUEST

Existing Zoning: R-1 Proposed Zoning: C-2

Purpose of Zoning Change:

ADJOINS EXISTING C-2 PROPERTY - EXPANSION
FOR PARKING

JACKIE MILLER
Name of Agent
129 STONERIDGE TRL
Agent's Address
MILLS RIVER, NC 28759
City, State, Zip
704-577-1830
Telephone Number

DAVID MICHAELS
Name of Petitioner(s)
90 UNDERWOOD RD
Address of Petitioner(s)
FLETCHER, NC 28732
City, State, Zip
828-~~687~~ 775-8078
Telephone Number

Signature of Property Owner if other than Petitioner

Signature

Received By: David P Michaels Date: 8-12-16

CHECKLIST FOR REZONING APPLICATIONS

Town of Fletcher Planning and Zoning

Rezoning Application

- ☒ Completed application and Owner's Affidavit, if applicable.
- ☒ Legal description and PINS for subject property; i.e., copy of deed.
- ☐ Filing fee of \$350.00.
- ☒ Area map illustrating subject property and surrounding zoning (staff will assist applicants in preparing this map if necessary).
- ☒ I acknowledge that all property owners abutting the proposed rezoning will be notified of the request and provided information of the hearing dates.
- ☒ I acknowledge the rezoning shall not be granted except after the recommendation of the Planning Board and decision by the Town Council following the public hearings.
- ☒ I acknowledge and grant consent to Town of Fletcher officials to visit the proposed site for the purpose of investigating this application.

Print Name: _____

JALRE MILLER

Signature: _____

Jalre Miller

Date: _____

8000 8-1-26

This institution is an equal opportunity provider

Owner's Affidavit

I (we) the undersigned do hereby give permission to (agent's name or organization)

JACKIE MILLER to file petition (application) for property(s)
located at BEHIND 90 UNDERWOOD Rd - vacant lot with
PIN (or PID)# 9643922309 on this affidavit for the purpose of requesting a

Rezoning from the Town Council of the Town of
Fletcher, NC. I further understand that my signature is consent to all conditions and/or
stipulations that may be imposed or adopted by such Town Council as part of the petition
approval.

1. Owner's Name (Please Print) DAVID MICHAELS

X Owner's Signature David P. Michaels Date 8-1-2026

2. Owner's Name (Please Print) _____

Owner's Signature _____ Date _____

3. Owner's Name (Please Print) _____

Owner's Signature _____ Date _____

4. Owner's Name (Please Print) _____

Owner's Signature _____ Date _____

Agent's (Contact) Information

Name: JACKIE MILLER Address: 129 Stone Ridge Trl

Phone Number: 704-507-1830 Fax Number: N/A



Filed and recorded in the Register of Deeds Office for
Henderson County, N. C. this 31 day of May, 1991
at 10:15 o'clock A. M. in Book 776 at page 637

Ruling H. Maxwell
Register of Deeds
by: Michael Simpson
Recording Time, Book and Page *depts*

Excise Tax \$3.00

Tax Lot No. Parcel Identifier No.
Verified by County on the day of, 19
by

Mail after recording to David P. Michaels, 90 Underwood Road, Fletcher, NC 28732

This instrument was prepared by Barbara A. Heck, Attorney at Law, 81 Central Ave., Asheville, NC

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 10th day of April, 1991, by and between

GRANTOR

MICHAEL FUQUA and wife, ANITA FUQUA

GRANTEE

DAVID P. MICHAELS
90 Underwood Road
Fletcher, NC 28732

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of, Hooper's Creek Township,

Henderson County, North Carolina and more particularly described as follows:

BEGINNING at a stake which stands N 3 deg. 45 min. E 339.5' from the NE corner of Lot No. 2 of Block 3 of Franem Acres, as shown on a plat thereof, recorded in Plat Book 9 at Page 40 of the Henderson County, North Carolina Registry; and running from said beginning point, N 86 deg. 15 min. W 88' to a stake; running thence a new line N 8 deg. E 139' to a stake; running thence N 82 deg. 30 min. E 76.8' to a stake; and thence running S 3 deg. 45 min. W 153.3' to the point of BEGINNING. Being the same property described in a deed recorded in Deed Book 623 at Page 129 of the Henderson County Registry.

Subject to easements, restrictions, rights-of-way and taxes, if any, of record.

Grantee hereby assumes and agrees to pay ad valorem taxes for the year 1991 as they become due and payable.



TOWN OF FLETCHER PLANNING DEPARTMENT AGENDA ITEM COVER SHEET

Meeting Type: Planning Board	Meeting Date: September 15th 2026
Title of Item: Special Use Permit Review: 67 Old Case Road Campground (26-18-SUP)– Tyler Morrow, Planning & Zoning Director	

SUGGESTED SPECIAL USE PERMIT MOTION(S):

<u>Approval:</u>	<u>Denial</u>
I move the Planning Board recommend Town Council <u>approve</u> the Special Use Permit associated with this petition, finding that the proposed development is consistent with Article 15.10 and that all nine (9) required criteria for the issuance of a Special Use Permit have been met. The development shall be constructed in accordance with the approved site plan. [DISCUSS & VOTE]	I move the Planning Board recommend Town Council <u>deny</u> the Special Use Permit associated with this petition, finding that the proposed development is not consistent with Article 15.10 and that all nine (9) required criteria for the issuance of a Special Use Permit have been met. The following criteria have not been met [please state the criteria that was not met] [DISCUSS & VOTE]

Attachments:	1. Staff Report 2. Site Plan 3. Applicant narrative describing how the proposed development complies with the Special Use Permit approval criteria. 4. Application
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TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER



COUNCIL MEMBERS:
TREVOR LANCE
JIM PLAYER
KEITH REED
AMBER MCKINNEY

Special Use Permit 67 Old Case Road Campground (26-18-SUP)

Planning Department Staff Report
Tyler Morrow, Planning and Zoning Director

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Site Plan Summary:	7
Supplemental Use Standards:	8

Project Summary



SITE VICINITY MAP

- **Project Name & Case #:**
 - 67 Old Case Road Campground
 - 26-18-SUP
- **Applicant & Property Owners:**
 - Cory Nelsen
 - Michelle Nelsen
- **Property Address:**
 - 67 Old Case Road
- **Project Acreage:**
 - 0.52 Acres
- **Requested Uses:**
 - Campground
- **Parcel Identification (PIN):**
 - 9653-23-9183
- **Current Parcel Zoning:**
 - R-2, Medium Density Development
- **Land Use Plan Designation:**
 - Residential, Single Family Detached

- **Project background and overview:**
 - Planning Staff were contacted by a resident on Old Case Road (not adjacent) regarding placing an RV on her property for permanent occupancy or use as an Airbnb. Staff advised that, outside of an approved campground, the ordinance allows one recreational vehicle or camper on a lot without a permit, provided it is properly licensed and registered, is not permanently connected to water, sewer, or power, and is not occupied for more than one 90-day period per calendar year. The resident subsequently reported that a camper at 67 Old Case Road was being used as an Airbnb, which initiated a code enforcement case. Staff met with Mr. Nelsen and advised him that the existing use was not permitted and would need to cease within 90 days of the date staff became aware of the violation unless approved through a Special Use Permit. Because campgrounds are permitted as a special use in the R-2 District, Mr. Nelsen elected to pursue a Special Use Permit for the property.

Special Use Permit Process:

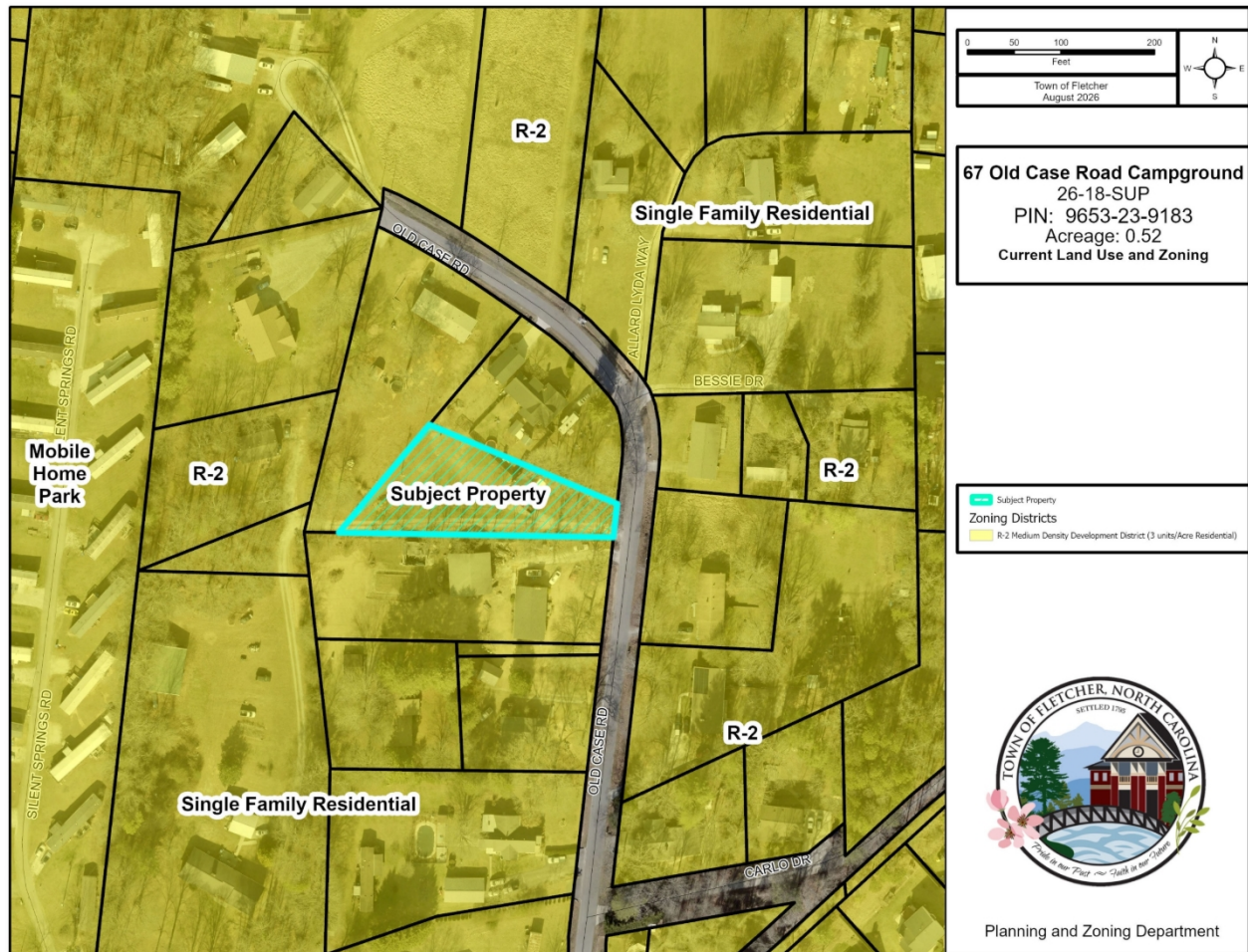
Upon application, the Town Council, following a recommendation from the Planning Board, may grant special use permits in specific cases. Such permits may be approved subject to appropriate conditions and safeguards, as authorized by this ordinance and identified as special uses within the applicable zoning districts.

All Special Use Permit Applications are Quasi-Judicial Proceedings. A quasi-judicial decision is a formal, court-like process used by local governments to apply specific zoning or development ordinances to individual situations. It requires finding facts, holding evidentiary hearings, and basing decisions on evidence rather than political discretion.

For the Town Council to approve a Special Use Permit, the following findings must be made:

1. A complete application has been submitted in accordance with the requirements of the Town Code.
2. The Town Council must determine that the proposed use will not negatively impact the health or safety of nearby residents or employees, will not harm the public welfare, and will not be detrimental to surrounding properties or public improvements. As part of its approval, the Town Council may impose reasonable conditions to ensure the proposed use complies with the intent and requirements of the Code.
3. Prior to issuing the Special Use Permit, the Town Council must adopt written findings confirming that the proposal complies with the specific standards for the requested special use as outlined in Article 3, and that appropriate provisions and arrangements have been made for all applicable requirements.
 1. Satisfactory ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control.
 2. Provision of off-street parking and loading areas where required, with particular attention to the items listed above, and the economic, noise, glare and odor effects of the special use on adjoining properties in the area.
 3. Adequate and proper utilities, with reference to locations, availability, and compatibility.
 4. Buffering, with reference to type, location, and dimensions.
 5. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmonies with properties in the district.
 6. Playgrounds, open spaces, yards, landscaping, access ways, pedestrian ways, with reference to location, size, and suitability.
 7. Buildings and structures, with reference to location, size, and use.
 8. Hours of operation, with particular reference to protecting and maintaining the character of the neighborhood.
 9. A site plan/preliminary plat has been submitted, as required in Article 16.3.

Existing Zoning & Land Use Map and Description



The subject property is zoned R-2 Medium Density Residential, which allows a maximum density of three dwelling units per acre. The surrounding area shares this zoning designation. R-2 is the predominant residential zoning district for neighborhoods north of Rutledge Road and west of St. John Road. The area consists primarily of single family homes and residential neighborhoods, with several other housing and residential use types interspersed throughout, including mobile home parks and campgrounds.

The two campgrounds staff are aware of within the general area are also zoned R-2. These include Rutledge Lake RV Park, the Town's most prominent RV campground, and a four space RV campground on Overton Place that received rezoning and Special Use Permit approval from Town Council in 2023. Both campgrounds are located more than 1,000 feet from the proposed campground, consistent with the supplemental standards for campgrounds. Additional information regarding these standards is provided later in the staff report.

To the west of the subject property, between the proposed campground and Rutledge Lake RV Park, are two of Fletcher's newer residential developments. These include Heritage Park, which is fully built out, and The Authors, which has completed Phases 1 and 2 and is currently developing Phase 3.

Site Images



This site photograph depicts the existing RV currently being utilized as a short term rental on the subject property.



This photograph depicts the subject property as viewed from Old Case Road. The front of the existing RV is visible; however, the majority of the RV is screened from view by the existing single family home on the property.



This photograph depicts the existing gravel driveway that will provide access to both the proposed campground and the existing single family home. The smaller trees along the right side of the driveway will be supplemented or replaced with a privacy hedge to meet applicable buffering requirements.



This photograph depicts the rear of the property, where several small buffering trees were planted prior to the current application process.

Site Plan Summary:

The site plan was developed from a survey completed by Charles Erdman dated August 7, 2026. The site plan includes a mix of existing and proposed components. The two most notable existing features are the single family home and the existing RV. The single family home is currently being rented to a family member of one of the property owners. The RV, which is located directly behind the single family home and can be seen in some of the site photographs, was previously being utilized as a short term rental through Airbnb.

The existing RV was in use prior to the Special Use Permit process but has since ceased operation following the original Notice of Violation and the initiation of this process. If the Special Use Permit is approved, the property owners will be able to resume use of the RV as a permitted campground use. If the Special Use Permit is not approved, the short term rental use of the RV will be required to remain ceased.

In addition to the existing features of the site, one additional RV site is proposed. The applicants have stated that they do not have plans in the near future to add the second RV site, but since they are already going through the Special Use Permit process, they would like to receive approval for the additional site now rather than having to return through the process in the future. If approved, however, the additional RV site could be developed and placed into use at any time. The majority of the property currently consists of open grassed recreational areas, including a communal firepit that can be utilized by guests.

The campground is also required to be buffered from surrounding properties. The applicants are proposing to meet these requirements through a combination of existing vegetation and new plantings. As shown on the site plan, the campground area will be surrounded by a vegetative buffer consisting of existing trees and a proposed privacy hedge.

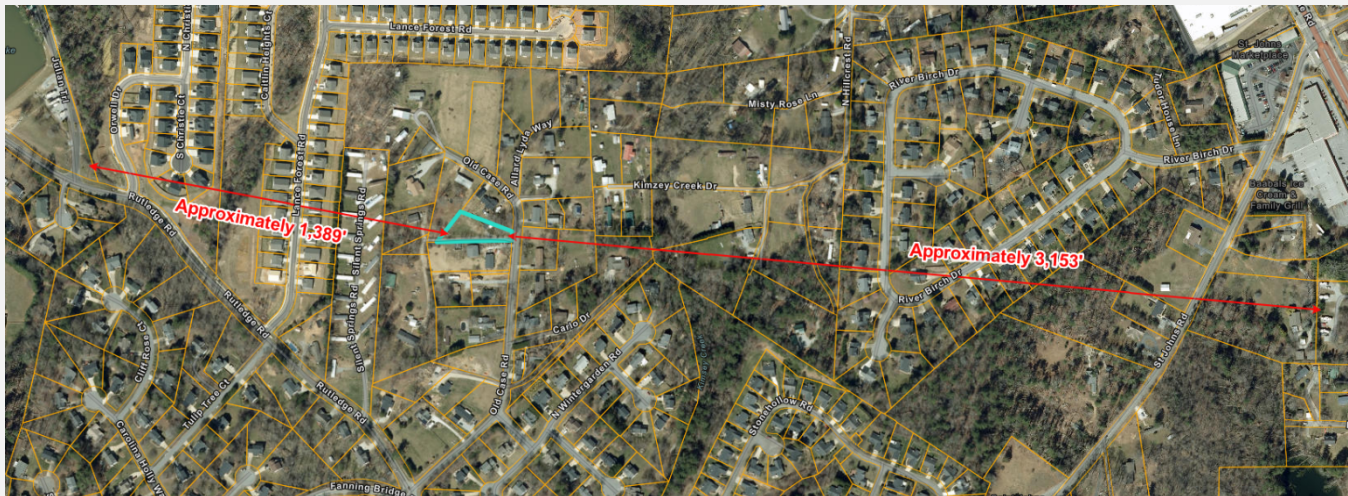
There is already a fairly dense row of vegetation south of the existing 30 foot right of way; however, it is unclear how much of that vegetation is located on the subject property versus the neighboring property. Because of this uncertainty, the site plan does not currently count that vegetation toward meeting the landscaping requirements. Instead, the applicants are proposing new vegetation along a large portion of the campground area to ensure the buffering requirements are met. There are also existing mature hardwood trees along the property frontage that will remain and provide additional buffering from Old Case Road.

Old Case Road is maintained by NCDOT. The existing driveway, which runs through the platted 30 foot right of way and currently serves the property, will remain as the access to the campground. No significant site development, roadway improvements, or changes to impervious surfaces are proposed. With the exception of the new landscaping and the potential addition of the second RV site, the property is proposed to remain largely as it exists today.

Supplemental Use Standards:

Campground (R-2, R-3, NBD) Special Use

1. The placement of any campground shall not create a negative impact on the landscape, environment or natural features of the site.
2. Campgrounds shall be screened with at Type "B" Transition Yard from all property lines.
 - The site plan shows a proposed privacy hedge along all property boundaries to buffer the campground from the adjacent neighbors.
3. No new campground may be located within 1000 feet of an existing campground.
 - Rutledge Lake RV Park- Approximately 1,389' away (from property line to property line as the crow flies).
 - Overton Place RV Park- Approximately 3,153' away (from property line to property line as the crow flies).



4. The maximum density of any campground shall be no greater than 10 campsites per acre with a cap of 200 campsites.
 - Including the existing single family home and the two proposed RV spaces, the overall density of the site is approximately 5.66 units per acre. If only the two RV spaces are counted, the resulting density is approximately 3.77 units per acre.
5. All new campgrounds shall provide open space/recreational areas as defined in Article 7 of this Code. A minimum of 10% of the total project area shall be utilized as open space/recreational areas.
 - The site plan shows that a minimum of 10% of the lot will be utilized as open green recreational space, including a firepit area for guests.

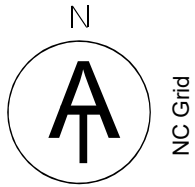
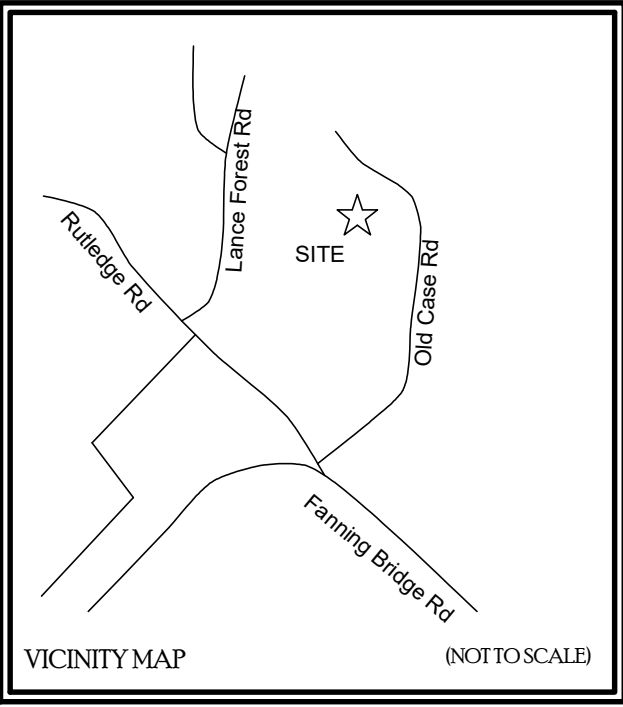
SITE PLAN FOR
CORY & MICHELLE
NELSEN (OWNER)

TRACT B PLAT SLIDE 8745
67 OLD CASE ROAD

STATE OF NORTH CAROLINA
HENDERSON COUNTY
HOOPERS CREEK TOWNSHIP

REFERENCES
DEED BOOK 1504 PAGE 148
PLAT SLIDE 8745
PIN 9653-25-9183

- LEGEND
- NIP NEW IRON PIN 1/2" REBAR
 - PT UNMARKED POINT
 - RBF REBAR FOUND
 - PIN PARCEL ID NUMBER
 - PP POWER POLE
 - R/W RIGHT-OF-WAY
 - N/F NOW OR FORMERLY
 - DB DEED BOOK
 - PB PLAT BOOK
 - NLL NEW LOT LINE
 - OLL OLD LOT LINE
 - X—X— FENCE LINE
 - — — — — BOUNDARY LINE
 - — — — — ADJOINER LINE
 - — — — — R/W LINE
 - OHU— OVERHEAD UTILITIES



N/F
Ogles
DB 4143/309

Tract A
N/F
Nelsen
DB 1504/148

1/2" RBF
N:633209.24
E:952925.02

1/2" RBF (Tie)
N:633328.15
E:953031.79

Tract B
0.52 Acres

Old Case Road
Public: Asphalt

NOTES

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM #3700965300J, DATED 01/06/2010.

SURVEYOR WAS NOT PROVIDED WITH A LEGAL TITLE SEARCH. THERE MAY EXIST EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS PERTINENT TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE THAT ARE NOT SHOWN ON THIS SURVEY.

NO UNDERGROUND UTILITIES WERE LOCATED. CALL 1-800-632-4949 BEFORE DIGGING.

ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR CONSIDERED AS PART OF THIS SURVEY.

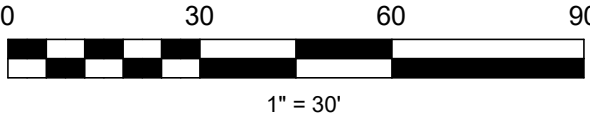
NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS, OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

AREA BY COORDINATE COMPUTATION.

PROPERTY LINES SHOWN AS DASHED WERE NOT FIELD SURVEYED. THEY WERE PLOTTED FROM RECORD DOCUMENTS.

SUBJECT PROPERTY CURRENTLY ZONED R-2 BY THE TOWN OF FLETCHER.

ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.



I, Charles P. Erdman, certify that this survey is of an existing parcel or parcels of land and one or more existing easements and does not create a new street or change an existing street. G.S.47-30(f)(1) c. 1
I also certify that this plat was drawn under my supervision from an actual survey made under my supervision (Deed description recorded in Bk. 1504, Pg. 148); 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 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 August, 2026.

Charles P. Erdman PLS L-5571



PO Box 333
Flat Rock, NC, 28731
Phone: (828) 216.3813

C. P. ERDMAN PLS L-5571	
FIRM LICENSE # P-2907	
SURVEY	CPE
DRAWN	CPE
DATE	08/07/2026
JOB #	26-121

Cory Nelsen

85 Old Case Rd

Fletcher NC 28732

828-606-3112

coryrichardnelsen@hotmail.com

July, 7 2026

Fletcher zoning board

City of Fletcher NC

300 Old Cane Creek Rd

Fletcher NC 28732

Subject: Request for a Special Use Permit for a Camper/RV Rental at 67 Old Case Rd

Dear Members of the Planning Commission and Zoning Board,

I am writing to formally request a Special Use Permit (SUP) to allow for the temporary, short-term rental of a stationary camper/RV on my property located at 67 Old Case Rd. The property is currently zoned as R2.

My goal is to offer a unique, well-managed accommodation option for visitors to our area while ensuring that the use remains entirely compatible with the character of our neighborhood.

To address potential concerns regarding safety, aesthetics, and neighborhood impact, I have established the following guidelines for the proposed rental:

- **Location & Visibility:** The camper is located in the back yard surrounded with partial vegetation, trees, and a fence. The camper is not highly visible from the main street or adjacent properties.
- **Parking:** Dedicated, off-street parking is available on my driveway for two guest vehicle's. Guests will not need to park on the street.
- **Utilities & Waste Management:** The camper is fully equipped with safe connections for electricity and water. Waste and sewage will be managed responsibly via a camper waste tote, and will be taken to Camping World to be dumped when needed. Trash and recycling bins will be provided and maintained regularly.
- **Occupancy & Noise Controls:** The rental will be limited to a maximum of four guests at any given time. I maintain strict house rules prohibiting parties, large gatherings, and outdoor noise after 10:00 pm.

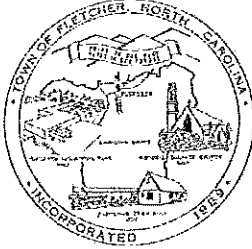
- **On-Site Management:** As the primary resident of the property, I will be on-site (or immediately available) during all guest stays to oversee operations, ensure compliance with local rules, and address any neighborhood concerns immediately.

Enclosed with this letter, please find the required application forms, the application fee, a site map indicating the exact placement of the camper and guest parking, and photographs of the setup.

I am deeply committed to being a good neighbor and a responsible member of our community. Thank you for your time, consideration, and guidance through this process. I look forward to discussing this request at the upcoming public hearing.

Sincerely,

Cory Nelsen



Town of Fletcher

Planning and Zoning

4005 Hendersonville Road Fletcher, NC 28732

(828) 687-3985

Fax (828) 687-7133

Special Use Permit Application

Application Number 26-18-SUP

Name of Project: Nelson Campground

Address/Location of Property: 67 Old Case Rd, Fletcher, NC 28732

PIN# 9653-23-9183

PID# 1015425

Type of Development:

☒ Residential ☐ Commercial ☐ Other

Current Zoning: R-2 Proposed Zoning: R-2

List requested uses:

Campground

Total Acreage 0.52 Proposed Building Sq. Ft. 215 SQFT Dwelling Units 1 Existing

Cory Nelson
Name of Agent

85 Old Case Rd
Agent's Address

Fletcher NC 28732
City, State, Zip

828-606-3112
Telephone Number

[Signature]
Signature of Property Owner if other than Petitioner

Michelle Nelson
Name of Petitioner(s)

85 Old Case Rd.
Address of Petitioner(s)

Fletcher NC, 28732
City, State, Zip

828-557-8218
Telephone Number

[Signature]
Signature

If an AGENT is filing the petition, you must have a signed Owner's Affidavit attached to the petition.

If you have any questions about filling out this application, please contact the Planning and Zoning Department at (828) 687-3985.

Received by Tyler Morrow Date 8-19-26

"I Second That Motion"

Focused Session on Procedural Rules for Public Officials

Thursday, September 17th, 2026

WCU at Biltmore Park, Asheville, NC

10:00 a.m. to 4:00 p.m. (on-site check-in begins at 9:30 a.m.)



The Local Government Training Program and UNC's School of Government are partnering to host a workshop focusing on board procedures. UNC School of Government faculty member Kristina Wilson will address topics of abiding interest to local government officials. This workshop will be split into two sessions with Wilson discussing rules of procedure for local government boards, paying special attention to common procedural problems.

Morning Session:

- Open Meetings Law
- Public Records Law
- Conflicts of Interest

Afternoon Session:

- Board Procedures
- Ordinance Authority
- Quorum
- Voting
- Public Comment

Who should attend: Elected and appointed officials (including local government board members), city and county managers, attorneys, and city and county clerks. *"This is a LELA 201 level course in the Local Elected Leaders Academy, and participants will receive 6 credits towards their Master recognition level for attending."*

The NCACC provides discounts for county commissioners who attend LELA classes. The discounts are applied in the registration process (please contact Bob Boylan for NCACC discount information).

Registration: You may register online at https://wcupg.wcu.edu/C20252_ustores/web/product_detail.jsp?PRODUCTID=1362&SINGLESTORE=true (Link works best in Chrome)

The registration fee is \$85.00 (includes lunch).

Registration ends September 10th or when the class reaches capacity (65 attendees). *Confirmations will be sent via email to the email address provided at registration.*

Program Sponsors:



UNC
SCHOOL OF GOVERNMENT



Local Government
Training Program

For additional information contact LGTP director Bob Boylan at rboylan@wcu.edu or (828) 227-3442. The course will be held at the WCU campus at Biltmore Park in Asheville, NC. Parking is free in the parking deck adjacent to the WCU building. Please park on Level 2 or above.

Directions to Biltmore Park: <https://www.wcu.edu/discover/locations/biltmore-park/directions-and-parking.aspx>