TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER

COUNCIL MEMBERS:
JIM PLAYER
TREVOR C. LANCE
KEITH REED
AMBER MCKINNEY

Town Council Regular Meeeting
October 12, 2026 at 6:00 PM

Call the meeting to order at: 6:00 PM

Moment of Silence:

Pledge of Allegiance:

Public Comments:

"We will strive to uphold each citizen's First Amendment right to free speech. We will ensure a level of civility and decorum. We ask that all speakers be respectful and adhere to the three-minute time limit. Council is not expected to debate/discuss issues during public comment."

Approval of minutes - corrections, additions or deletions

1) Agenda Review Meeting September 8, 2026
2) Regular Meeting September 14, 2026

Council Updates

Consent Agenda

3) Tax refunds/releases
4) Approval of Budget Amendment #4 to the FY 26/27 Budget Ordinance
5) Approval of waterline easement across greenway trail - Mark Biberdorf, Town Manager
6) Improvement Guarantee Consolidation and Extension – The Authors (All Phases) (26-22-BOND) — Tyler Morrow, Planning & Zoning Director

Discussion Items

7) Public Hearing: Standard Rezoning–Vacant Lot Behind 90 Underwood Road (David P. Michaels) (26-17-RZO)– Tyler Morrow, Planning & Zoning Director

8) Public Evidentiary Hearing: Special Use Permit Review: 67 Old Case Road Campground (26-18-SUP)– Tyler Morrow, Planning & Zoning Director
9) Discussion of proposed legislative priorities for 2026-2027 - Mark Biberdorf, Town Manager

Town Manager Report

Department Reports

10) September Reports

Adjourn

Upcoming Events

Voting in the council room starts October 15, 2026
LGCCA October 20, 2026, at 3:00 pm
Halloween Carnival in the Park October 24, 2026
Fall Food Pantry October 26 through November 14.
Agenda Review Meeting November 2, 2026, at 6:00 pm
Regular Meeting November 9, 2026, at 6:00 pm
Veteran Salute Breakfast November 7, 2026
Christmas in the Park December 5, 2026

"This Institution is an equal opportunity provider."

Town of Fletcher
Town Council Agenda Review Meeting
Minutes
September 8, 2026

Call the meeting to order at: 6:00 PM

Those who were in attendance are as follows:

Mayor Preston Blakely
Mayor Pro-Tem Trevor Lance
Councilmember Keith Reed
Councilmember Amber McKinney
Town Manager Mark Biberdorf
Planning & Zoning Director Tyler Morrow

Councilmember Jim Player did not attend this meeting.

Presentation of Proclamation in honor of Ovarian Cancer Awareness Month.

Moment of Silence:

No comments were made at this time.

Pledge of Allegiance:

No comments were made at this time.

Public Comments:

Joe Black of 340 Howard Road, Fletcher, commented on the recently trimmed bushes on Howard Gap Road, and he mentioned that the fair started on Friday and to watch out for the traffic.

Approval of minutes - corrections, additions or deletions

Agenda Review Meeting August 3, 2026

Regular Meeting August 10, 2026

No comments were made at this time.

Council Updates

Mayor Blakley stated that he sent out the letters to our legislative delegates and the governor regarding HiViz Lighting manufacturers. Hopefully, they can get the help they need.

Consent Agenda

Tax refunds/releases

Recommendation of a grant award in the amount of $8,376.75 for the Stormwater Off-Right-Of-Way Assistance Program.

Mayor Blakely asked if there were any questions, comments or concerns on the Consent Agenda?

There were no comments at this time.

Discussion Items

Discussion and review of applications to fill the chairman vacancy on the ABC Board.

Mayor Blakely commented on the ABC board vacancy, stating that he wanted to mention that council could move someone who is already on the ABC Board to the chairman vacancy and then select an individual from the applications submitted to fill the other seat on the board. He stated that he thinks it makes sense to consider Brandon Olsen or Rachel Nard for the position as chairman (if they are interested).

Town Manager Mark Biberdorf stated that he emailed council the general statute section on appointments dealing with vacancies. If you were to appoint Rachel or Brandon to the chairman's position, they will fill out the remainder of Samantha's term and the person you appoint to the board will fill out the remainder of either Rachel or Brandon's term.

Mayor Blakely then called on the applicants to come to the podium and give some information about themselves and why they would like to serve on the ABC Board.

Applicants:
Akasha Nichols
Mike Franklin
Brian Health Scoggin

Discussion Followed:

Annual Market visit update with Retail Strategies — Joshua Davis.

Mayor Blakely stated that next week we will have Joshua Davis from Retail Strategies to provide us with an update.

Town Manager Mark Biberdorf stated that he is putting together a PowerPoint presentation and I will be meeting with him on the phone with any potential questions that may be anticipated.

Discussion Followed:

Discussion: Planning Process and Use Text Amendment — Tyler Morrow, Planning and Zoning Director

Planning & Zoning Director Tyler Morrow gave a presentation on the town's planning process and use text amendments. He then answered questions that the council had for him.

Discussion Followed:

Planning & Zoning Director Tyler Morrow will work on a list of the recommended changes and then bring them back to council for discussion and or approval.

Presentation by Bob Turner regarding concept for an AgTech park.

Mr Bob Turner gave a PowerPoint presentation on the concept of an Ag Tech park in Fletcher.

Discussion Followed:

Town Manager Report

Town Center Project

On Lewis Real Estate Group, the next step was a proposal to bring a land planning firm and a timeline for them to update the master plan like a market analysis, and I still don't have that from them yet. I am still waiting but anticipate that it will be any time.

We had a couple of other entities and one submitted something that was a little too much one tenant-focused. I am sure that is not going to go any further at this point.

We did just receive one this past Friday from Southeast Capital Partners, which is another one of the groups that we have been talking to. It has a very good site plan. I am not sharing it yet because we are still digesting it at staff level, and we have some comments and concerns, but, overall, it has a very good layout of the uses per the vision of our project.

On the library project, the county has selected an architect, and it is on their agenda for tonight for final approval. The recommended architect is Clark Nixon, who is a very reputable firm and the county has done a lot of work with them in the past. I still do not have the MOU which spells out what we will mutually agree upon and is our whole course of action. Once I have it I will share it with you.

Discussion Followed:

Fall Litter Sweep: Tyler is organizing a litter sweep to take place on Saturday, September 26, from 9:00 to 11:00 am. So, if you're interested, please put this on your calendar and I will do a Blackboard call to help publicize it. Bags, vests and grabbers will be provided.

On the express design option that DOT is working on, which is where you can get a cost estimate of traffic improvements that might be needed. This would be associated with our commercial development. We put in a request that would be relative to our town center

project. However, this did not get in for September because DOT wanted to do Fanning Bridge road first. So we will push this out for the next meeting in January to hopefully get this done.

Mayor Blakely mentioned the driving range at Broadmoor and possible issues with golf balls going out onto the highway. He mentioned that Broadmoor was looking at a cost share option with DOT for a net to help with this.

Discussion Followed.

Department Reports

August Reports

Adjourn

Mayor Blakely asked for a motion to adjourn

Councilmember Keith Reed motioned to adjourn, and it was seconded by Councilmember Amber McKinney.

Motion all in favor.

Adjourn: 7:04 pm

Upcoming Events

Regular Meeting September 14, 2026, at 6:00 pm
Agenda Review Meeting October 5, 2026, at 6:00 pm
Regular Meeting October 12, 2026, at 6:00 pm
Voting in the council room starts October 15, 2026
Halloween Carnival in the Park October 24, 2026
Fall Food Pantry October 26 thru November 14.
Agenda Review Meeting November 2, 2026, at 6:00 pm
Regular Meeting November 9, 2026, at 6:00 pm
Veteran Salute Breakfast November 7, 2026
Christmas in the Park December 5, 2026

Approved.

_____ _____

Date Signed

Town of Fletcher
Town Council Regular Meeting
Minutes
September 14, 2026

Call the meeting to order at: 6:00 PM

Those who were in attendance are as follows:

Mayor Preston Blakely
Mayor Pro-Tem Trevor Lance
Councilmember Keith Reed
Councilmember Amber McKinney
Councilmember Jim Player
Assistant Town Manager Heather Taylor

Town Manager Mark Biberdorf did not attend this meeting.

Moment of Silence:

Mayor Blakely led the group in a moment of silence.

Pledge of Allegiance:

Mayor Blakely led the group in the pledge of allegiance.

Public Comments:

Amber Fawson of 31 Briar Lane, Fletcher, spoke on requesting two crosswalks with flashing beacons. She is requesting one on Fanning Bridge Road at Red Spruce Way and one on Rutledge Road at Tulip Tree Court. (map attached to final minutes) These two locations are where my daughter and her friends cross to see each other. She feels that this would be a safer option for everyone and better to connect these neighborhoods together.

Claire Fawson of 31 Briar Lane, Fletcher, also spoke about wanting crosswalks so that she could meet up with her friends and they could spend time together. She also said that she had been taught to cross Fanning Bridge Road with her friends and to wait for when there are no cars, but she said it would be much easier and safer if they could use crosswalks.

Councilmember Jim Player commented that he is on the French Broad River MPO and I encourage everyone that is here now to contact the MPO either by email or to come to a meeting and comment as well. DOT is working on a modernization project for Fanning Bridge Road that is on the radar for Fletcher. It is, of course, a money issue, especially after Helene, as a lot of money that was set for other projects was diverted to projects to make repairs to roads and pathways after the storm.

Rachel Stay of 12 Cranberry Bog Court, Fletcher also commented on wanting crosswalks in the area as well. She stated that her daughter is friends with Claire, and she would love to be

able to walk safely across the road to visit her friends.

Robin Broberg of 66 Whispering Oak Court, Fletcher, also spoke on the support for crosswalks in the area. She stated that her kids are homeschooled and also have jobs, and it would be much easier if they had crosswalks to use instead of going through the woods. We also like the downtown area and would like to see Fanning Bridge Road become a funnel to the downtown area.

Oliver Broberg of 66 Whispering Oak Court, Fletcher said that he walks from his house to downtown Fletcher and that he has to climb through a thorn-infested creek as well as narrow logs and poison ivy-infested areas. He said that the roads should be equally suited for cars and pedestrians.

Hazel Broberg of 66 Whispering Oak Court Fletcher said that she is friends with Lydia and Clarie and that she likes to go places with them and that crosswalks and sidewalks would make it a lot safer for them to do this.

Presentation of Proclamation in honor of Ovarian Cancer Awareness Month.

Mayor Blakely presented a proclamation to Ms. Debbie Robbins in honor of Ovarian Cancer Awareness Month.

Ms Robbins gave a brief speech on Ovarian Cancer and her story as a survivor of this disease.

Approval of minutes - corrections, additions or deletions

Agenda Review Meeting August 3, 2026

Regular Meeting August 10, 2026

Mayor Blakely asked for any corrections, additions or deletions of the minutes presented and if not is there a motion to approve the minutes as presented?

Councilmember Keith Reed motioned to approve the minutes and it was seconded by Councilmember Amber McKinney.

Motion all in favor.

Council Updates

Mayor Blakely commented that he did provide a letter that was addressed to DOT and Bob Moore about hopefully figuring out a cost-sharing arrangement for putting up a new net because there is obviously a need there. (Broadmoor and Hwy 280 golf balls)

Consent Agenda

Tax refunds/releases

Recommendation of a grant award in the amount of $8,376.75 for the Stormwater Off-Right-Of-Way Assistance Program.

Approval of Proclamation P-26-03 for Fall Litter Sweep.

Mayor Blakely asked for a motion to approve the consent agenda.

Mayor Pro-Tem Trevor Lance motioned to approve the consent agenda, and it was seconded by Councilmember Jim Player.

Motion all in favor.

Discussion Items

Selection of an individual to fill a vacancy on the ABC Board.

Mayor Blakely stated that now on to the selection of an individual to serve on the ABC Board. He also asked council about appointing one of the existing ABC Board members to serve as the Chairman.

Council does agree to appoint one of the existing Board Members as Chairman.

Mayor Pro-Tem Trevor Lance made a motion to appoint Rachel Nard as Chairman of the ABC Board, and it was seconded by Councilmember Amber McKinney.

Motion All in favor.

Mayor Blakely then stated that we have 3 potential candidates that are more than qualified for the seat on the board. Does council have a preferred candidate?

Councilmember Keith Reed motioned to approve Mr. Scoggin, and it was seconded by Mayor Pro-Tem Trevor Lance.

Motion all in favor.

Annual Market visit update with Retail Strategies — Joshua Davis.

Joshua Davis from Retail Strategies gave a PowerPoint presentation on what they have been working on for the last three years.

Discussion Followed:

Town Manager Report

Assistant Town Manager Heather Taylor stated that there has been only one change since last

week and that Mark wanted you to know that DOT has started the express review of HWY 25 now instead of waiting until January. I think this also includes Fanning Bridge Road as well as HWY 25.

Department Reports

August Reports

Adjourn

Mayor Blakely asked for a motion to adjourn.

Councilmember Keith Reed motioned to adjourn and it was seconded by Councilmember Jim Player.

Motion all in favor.

Adjourned at: 06:54 pm

Upcoming Events

Fletcher Family Festival September 19, 2026, from 2:00 to 8:00 pm
Agenda Review Meeting October 5, 2026, at 6:00 pm
Regular Meeting October 12, 2026, at 6:00 pm
Voting in the council room starts October 15, 2026
Halloween Carnival in the Park October 24, 2026
Fall Food Pantry October 26 through November 14.
Agenda Review Meeting November 2, 2026, at 6:00 pm
Regular Meeting November 9, 2026, at 6:00 pm
Veteran Salute Breakfast November 7, 2026
Christmas in the Park December 5, 2026

Approved.

Date

Signed

TOWN OF
FLETCHER
Tax Collectors Office

2026 TAX YEAR PENDING RELEASES & REFUNDS

September 2026

Report Month	Year Adj	Rel #	Refnd #	Taxpayer	Reason for Release/Refund	Tax Amt to be Released	Tax Amt to Refund	Adj Pers Value	REID or Abst #	HC BOC Approval	TOF TC Approval
Sep-26	2026		1	ERNEST HOWARD MCMINN	2026 VEHICLE VALUE REDUCED; MCMINN ALREADY PD '26 TAX	$ -	$ 12.50	(4,165)	3010294	9/8/2026	
	2026	7		DEVIN AARON STUART	VOIDED - BOAT SOLD IN 2025	$ 82.98	$ -	(25,145)	3119587	9/8/2026	
					Total September Releases/Refunds	**$82.98**	**$12.50**				

BUDGET AMENDMENT 4
Original Ordinance # 0-26-07
Amended on 10-12-26
Ordinance # 0-26-11
REQUEST FOR BOARD ACTION
TOWN OF FLETCHER

MEETING DATE: October 12, 2026

SUBJECT: Budget Amendment 4

ATTACHMENTS: YES

SUMMARY OF REQUEST:

The North Carolina General Assembly established a Local Law Enforcement Officer Compensation Bonus Program for FY 2026-2027. Under the program, sworn local law enforcement officers employed as of June 30, 2026, are eligible for a $1,750 compensation bonus. The Town of Fletcher had 18 eligible sworn law enforcement officers as of June 30, 2026.

The total bonus payments are $31,500 ($1,750 × 18 officers). In addition, the State Bureau of Investigation (SBI) will provide funding for the employer share of FICA associated with the bonuses. SBI guidance provides funding of $1,883.87 per eligible full-time officer, resulting in total anticipated funding of approximately $33,910.

Because these bonuses and the related SBI funding were not included in the FY 2026-2027 adopted budget, a budget amendment is necessary to recognize the additional revenue and appropriate the corresponding expenditures.

TOWN MANAGER'S RECOMMENDATION:

It is recommended that the Town Council approve the attached Budget Amendment No. 4, recognizing approximately $33,910 in funding from the North Carolina State Bureau of Investigation (SBI) and appropriating those funds for the payment of the Local Law Enforcement Officer Compensation Bonus and associated employer FICA costs for eligible Town sworn law enforcement officers.

BUDGET AMENDMENT # 4
FY 26/27 BUDGET ORDINANCE

	Account #	Debit	Credit
General Fund			
Revenues			
Grants	10-3390-0040		33,910.00
Expenditures			
Salaries & Wages	10-5100-0200	31,500.00	
FICA	10-5100-0500	2,410.00	

Approved this the 12th day of October 2026.

_____
Mayor Preston Blakely

ATTEST:

_____
Christine Thompson MMC, NCCMC
Town Clerk

MEMORANDUM

TO: Mayor & Council

FROM: Mark Biberdorf, Town Manager

COPY TO: Heather Taylor, Assistant Town Manager

DATE: 9/23/2026

SUBJECT: Approval of waterline easement across greenway trail - Mark Biberdorf, Town Manager

Background:
Attached for Council's review is a letter from the City of Hendersonville's Water & Sewer Department requesting an easement for a water line extension. Also attached is a map that depicts the area where the easement would be located. The purpose of the water line extension is to improve the reliability of water service to the Cane Creek Industrial Park and surrounding area. The easement would cross the Town's greenway trail near Mills Gap Road and will not require disturbance of the trail when the water line is installed.

Recommendation:
It is recommended that Town Council approve the easement request as submitted by the Hendersonville Water & Sewer Department.

Attachments:
1. Water Line Easement Request Near Mills Gap Road
2. Map of Proposed Water Line Easement

CITY COUNCIL:
BARBARA G. VOLK
Mayor
LYNDSEY SIMPSON
Mayor Pro Tem
DR. JENNIFER HENSLEY
MELINDA LOWRANCE
GINA BAXTER

CITY OF HENDERSONVILLE

The City of Four Seasons

OFFICERS:
JOHN F. CONNET
City Manager
ANGELA S. BEEKER
City Attorney
JILL MURRAY
City Clerk

Mark Biberdorf
Town of Fletcher, NC
300 Old Cane Creek Rd
Fletcher, NC 28732

September 10, 2026

RE: Waterline Easement Mills Gap Road Water Main Extension

Dear Mr. Biberdorf,

The City of Hendersonville is extending a redundant water main along Mills Gap Road to improve water service reliability for the Cane Creek Industrial Park and surrounding area. This project is funded by a grant supporting infrastructure improvements following damage from Hurricane Helene in 2024 and will provide a redundant water source to reduce the risk of service disruptions during future storms and natural disasters.

The preliminary engineering design for this project shows the proposed water line crossing a portion of your property at Cane Creek near Mills Gap Rd with Parcel Identification Number (PIN) 9663016071. To construct, operate, and maintain this water main, the City respectfully requests your permission to acquire the following rights, shown on the enclosed plans prepared by WGLA Engineering.

Permanent Waterline Easement: approximately 20 ft. wide with an area of 0.08 acres allowing Hendersonville Water and Sewer to construct, access, inspect, repair, replace, and maintain the proposed water main.

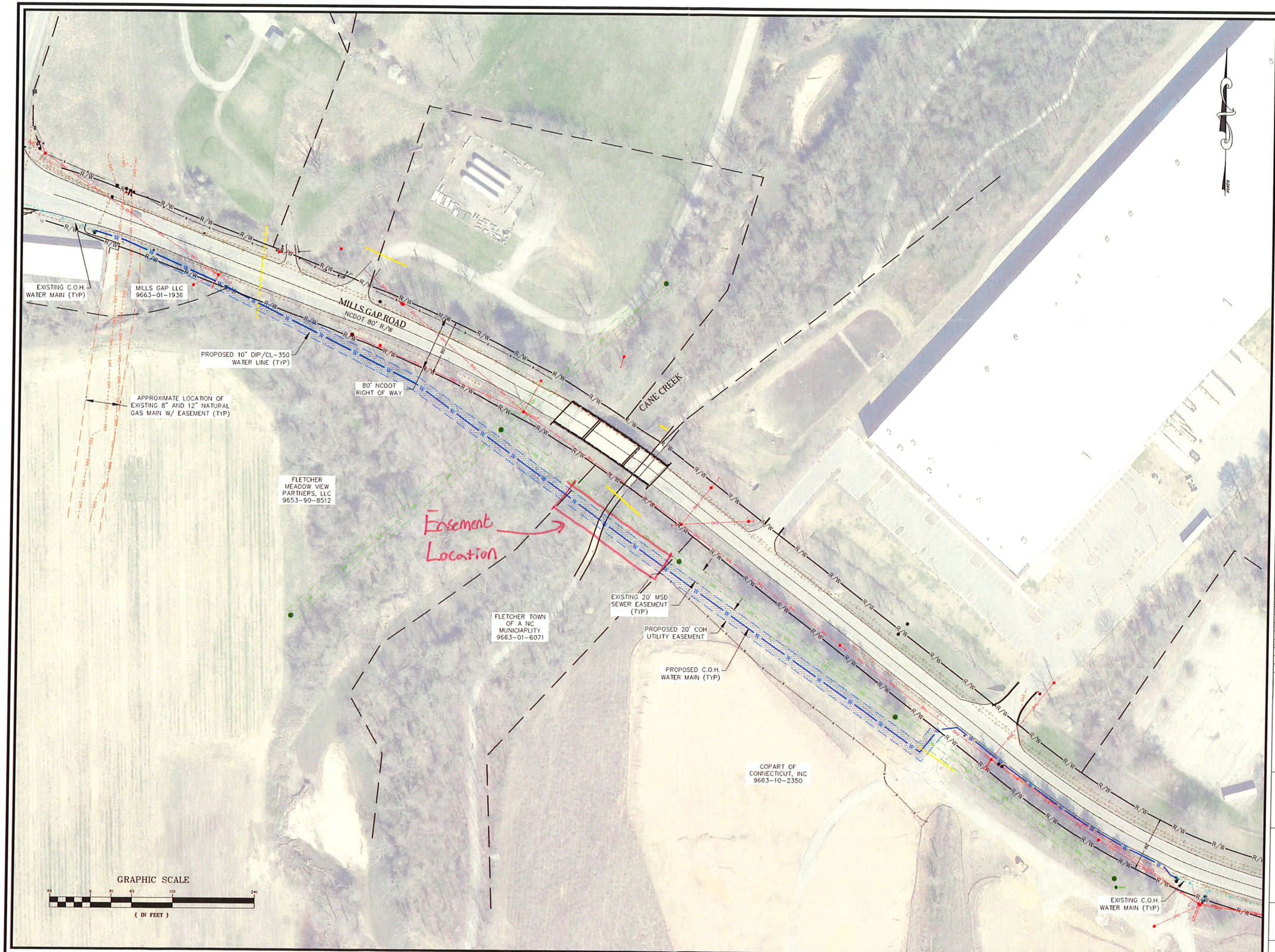
In exchange for these easement rights, the City is prepared to offer $299.79, based on a valuation of the affected area consistent with current county tax land values and standard easement valuation practices. You will retain ownership of the easement area and continue to have reasonable use of it, subject to restrictions on structures, plantings, and grading.

Please contact Richard Shook at (828) 233-2888 or rshook@hvlnc.gov by October 02, 2026, to schedule a time to talk or share any concerns. Once terms are confirmed, a formal Easement Agreement and platted easement figure will follow for your review and signature.

We appreciate your cooperation as the City works to improve water service reliability for the community, and we look forward to working with you on this project.

Sincerely,
CITY OF HENDERSONVILLE

Richard Shook
Assistant City Engineer



WGLA Engineering

WGLA ENGINEERING, PLLC
724 5th AVENUE WEST
HENDERSONVILLE, NC 28739
(828) 687-7177
WGLA.COM
NC LICENSE P-1342

MILLS GAP ROAD WATER EXTENSION

TOWN OF FLETCHER
HENDERSON COUNTY
NORTH CAROLINA

Preliminary Not For Construction

REVISIONS	
DATE	DESCRIPTION

811 Know what's below. Call before you dig.

PROJECT NUMBER: 25195
DATE: 8-27-26

MASTER PLAN

C-200

SCALE: 1"=60'

MEMORANDUM

TO: Honorable Mayor and Town Council

FROM: Tyler Morrow, Planning & Zoning Director

COPY TO:

DATE: 10/12/2026

SUBJECT: Improvement Guarantee Consolidation and Extension – The Authors (All Phases) (26-22-BOND) — Tyler Morrow, Planning & Zoning Director

Background:
See attached memorandum.

Recommendation:

Attachments:
1. Bond Reduction Memo-Authors All Phases 26-22-BOND
2. Bond Agreement-Authors All Phases 26-22-BOND
3. Bond Drawing-The Authors All Phases
4. Estimate for Bonding- The Authors All Phases-Revised 9-30-26

TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER

COUNCIL MEMBERS:
TREVOR LANCE
JIM PLAYER
KEITH REED
AMBER MCKINNEY

MEMORANDUM OF IMPROVEMENT GUARANTEE CONSOLIDATION AND EXTENSION

To: Mayor and Town Council

From: Planning and Zoning Department

Date: October 12th, 2026

Subject: The Authors All Phases–Consolidated Improvement Guarantee

The Planning and Zoning Department received an updated cost estimate from Will Buie, PE, of WGLA Engineering, PLLC, on behalf of Windsor Built Homes for the remaining required infrastructure improvements within The Authors Subdivision on Rutledge Road.

The Town has previously maintained improvement guarantees for individual portions and phases of The Authors Subdivision. Most recently, on July 13, 2026, the Fletcher Town Council approved a reduction and extension of the Improvement Guarantee associated with Phase II. That action established a guarantee amount of $97,131.25 for the remaining Phase II improvements.

Since that approval, the project engineer has prepared an updated estimate identifying the infrastructure improvements that remain to be completed throughout all phases of the subdivision. Rather than continuing to maintain separate improvement guarantees for individual phases, the Developer has requested that the remaining work be consolidated into one Improvement Guarantee covering the outstanding infrastructure improvements for the entire subdivision.

WGLA Engineering, PLLC, prepared a revised estimate dated September 30, 2026. The estimate identifies $84,575.00 in remaining infrastructure costs. Applying the required 125 percent performance guarantee results in a consolidated Improvement Guarantee amount of $105,718.75.

Improvement Guarantee Summary

Project Name: The Authors Subdivision

Developer: Windsor Built Homes

Current Phase II Guarantee: $97,131.25

Estimated Cost of Remaining Improvements for All Phases: $84,575.00

Required Performance Guarantee at 125 Percent: $105,718.75

Proposed Consolidated Guarantee Amount: $105,718.75

Proposed Effective Date: October 12, 2026

Proposed Expiration Date: October 12, 2028

Remaining Bonded Improvements

The consolidated Improvement Guarantee will secure completion of the remaining required infrastructure improvements throughout all phases of The Authors Subdivision, including:

1. Internal five foot wide concrete sidewalks;
2. One remaining ADA compliant handicap ramp with detectable warning domes;
3. Required street trees throughout all phases of the subdivision;
4. Surveying associated with the layout of the remaining sidewalks;
5. Construction materials testing; and
6. Engineering services associated with coordination between the contractor and the Town.

TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER

COUNCIL MEMBERS:
TREVOR LANCE
JIM PLAYER
KEITH REED
AMBER MCKINNEY

IMPROVEMENT CONSOLIDATION AND EXTENSION AGREEMENT GUARANTEE

The Authors (All Phases)

THIS IMPROVEMENT GUARANTEE CONSOLIDATION AND EXTENSION AGREEMENT ("Agreement") is entered into this 12th day of October, 2026, by and between the TOWN OF FLETCHER, NORTH CAROLINA, a North Carolina municipal corporation ("Town"), and WINDSOR BUILT HOMES ("Developer").

WHEREAS, the Developer is constructing The Authors Subdivision located on Rutledge Road in the Town of Fletcher, North Carolina; and

WHEREAS, North Carolina General Statutes and the Town of Fletcher Land Development Code authorize the use of improvement guarantees to ensure the completion of required public and site infrastructure improvements associated with development projects; and

WHEREAS, improvement guarantees have previously been provided for portions and phases of The Authors Subdivision to secure completion of required infrastructure improvements; and

WHEREAS, on July 13, 2026, the Fletcher Town Council approved a reduction and extension of the Improvement Guarantee associated with Phase II of The Authors Subdivision, establishing a guarantee amount of Ninety Seven Thousand One Hundred Thirty One Dollars and Twenty Five Cents ($97,131.25); and

WHEREAS, development of The Authors Subdivision has progressed and the Developer has requested that the remaining bonded improvements for the subdivision be consolidated into a single Improvement Guarantee covering the remaining required infrastructure improvements for all phases of the development; and

WHEREAS, WGLA Engineering, PLLC, prepared a revised cost estimate dated September 30, 2026, identifying the remaining infrastructure improvements for all phases of The Authors Subdivision and estimating the remaining construction cost at Eighty Four Thousand Five Hundred Seventy Five Dollars ($84,575.00); and

WHEREAS, based upon one hundred twenty five percent (125%) of the estimated cost of the remaining improvements, the required Improvement Guarantee is One Hundred Five Thousand Seven Hundred Eighteen Dollars and Seventy Five Cents ($105,718.75); and

WHEREAS, the Fletcher Town Council has determined that a consolidated Improvement Guarantee in the amount of One Hundred Five Thousand Seven Hundred Eighteen Dollars and Seventy Five Cents ($105,718.75) is sufficient to secure completion of the remaining required infrastructure improvements for all phases of The Authors Subdivision.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

SECTION 1. REMAINING IMPROVEMENTS COVERED

The Improvement Guarantee shall secure completion of the remaining required infrastructure improvements for all phases of The Authors Subdivision, as identified in the September 30, 2026 cost estimate prepared by WGLA Engineering, PLLC, including:

1. Completion of required internal five foot wide concrete sidewalks;
2. Construction of the remaining ADA compliant handicap ramp, including detectable warning domes;
3. Installation of required street trees throughout all phases of the subdivision;
4. Surveying services associated with the layout of the remaining sidewalks;
5. Required construction materials testing; and
6. Engineering services associated with coordination between the contractor and the Town.

SECTION 2. GUARANTEE AMOUNT

The Developer shall provide a consolidated Improvement Guarantee in the amount of One Hundred Five Thousand Seven Hundred Eighteen Dollars and Seventy Five Cents ($105,718.75), representing one hundred twenty five percent (125%) of the estimated cost of the remaining required infrastructure improvements.

Upon acceptance of the consolidated Improvement Guarantee by the Town, this guarantee shall secure the remaining improvements identified in Section 1 for all phases of The Authors Subdivision.

SECTION 3. TERM OF GUARANTEE

The Improvement Guarantee shall remain in effect for a period of twenty four (24) months beginning October 12, 2026, and expiring October 12, 2028.

SECTION 4. COMPLETION OF IMPROVEMENTS

The Developer shall complete all improvements secured by this Agreement prior to the expiration of the Improvement Guarantee.

Should the Developer determine that the improvements cannot be completed prior to the expiration date, the Developer shall submit a written request for extension to the Fletcher Town Council before the guarantee expires. Approval of any extension shall be at the sole discretion of the Town Council.

SECTION 5. DEFAULT AND REMEDIES

If the Developer fails to complete the required improvements within the term of the Improvement Guarantee and no extension has been approved by the Town Council, the Town may pursue any and all remedies authorized by law, including calling upon the Improvement Guarantee and using the proceeds to complete the required improvements.

SECTION 6. EFFECT OF AGREEMENT

Upon acceptance of the consolidated Improvement Guarantee by the Town, this Agreement shall supersede the Improvement Guarantee Reduction and Extension Agreement approved by the Fletcher Town Council on July 13, 2026, for Phase II of The Authors Subdivision with respect to the improvements secured by this Agreement.

The consolidated Improvement Guarantee established herein is intended to secure the remaining required infrastructure improvements identified in Section 1 for all phases of The Authors Subdivision.

SECTION 7. ENTIRE AGREEMENT

This Agreement constitutes the entire understanding of the parties regarding the consolidated Improvement Guarantee for the remaining required infrastructure improvements within The Authors Subdivision and supersedes prior agreements or understandings concerning the improvements secured herein.

SECTION 8. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

TOWN OF FLETCHER

By: _____

Preston Blakely, Mayor

Date: _____

WINDSOR BUILT HOMES

By: _____

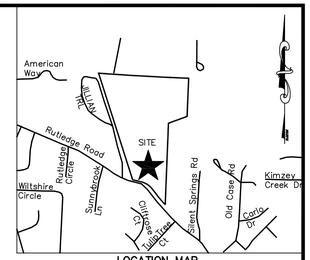
Scott Street, President

Date: _____

ATTEST:

_____
Christine Thompson, Town Clerk





LOCATION MAP
N.T.S.

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)

WGLA Engineering

WGLA ENGINEERING, PLLC
724 5th AVENUE WEST
HENDERSONVILLE, NC 28739
(828) 687-7177
WGLA.COM
NC LICENSE P-1342

Windsor Built Homes Rutledge Road

Town of Fletcher
Henderson County
North Carolina

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 2598 WILLIAM R. GRAY

Preliminary Not For Construction

REVISIONS	
DATE	DESCRIPTION

811 Know what's below. Call before you dig.

PROJECT NUMBER: 24192
DATE: 9/26

Subdivision Bond Drawing

C-200

SCALE: 1"=100'

WGLA Engineering

WGLA ENGINEERING, PLLC
724 5th AVENUE WEST
HENDERSONVILLE, NC 28739
(828) 687-7177
WGLA.COM
NC LICENSE P-1342

WGLA Engineering, PLLC
Consulting Engineers and Land Planners

DRAFT

Preliminary Cost Estimate
Windsor Built Homes - Rutledge Road
Estimate to Complete Infrastructure - All Phases

Date: 09/30/26 **Project #: 24192**

Item	Quan.	Unit	Unit Price	Total Price
Internal 5' Wide Concrete Sidewalks	650	SY	$62.00	$40,300.00
Handicap Ramps with Warning Domes	1	EA	$1,750.00	$1,750.00
Street Trees (All Phases)	131	EA	$275.00	$36,025.00
			SUBTOTAL	$78,075.00
Surveying (Layout of Sidewalk Only)				$1,500.00
Construction Materials Testing				$2,500.00
Engineering Services (Coordination with Contractor and Town)				$2,500.00
TOTAL ESTIMATED CONSTRUCTION COST				**$84,575.00**
PERFORMANCE GUARANTEE AMOUNT (125%)				**$105,718.75**

MEMORANDUM

TO: Honorable Mayor and Town Council

FROM: Tyler Morrow, Planning & Zoning Director

COPY TO:

DATE: 10/12/2026

SUBJECT: Public Hearing: Standard Rezoning–Vacant Lot Behind 90 Underwood Road (David P. Michaels) (26-17-RZO)– Tyler Morrow, Planning & Zoning Director

Background:
Application to rezone the subject property located east of 90 Underwood Road (PIN: 9643-92-2309) from R-1 Low Density Development District to C-2, Interstate Commercial District.

Recommendation:
Suggested motions are provided in the packet.

Attachments:
1. Agenda Item- 26-17-RZO Behind 90 Underwood Road
2. Staff Report-26-17-RZO Behind 90 Underwood Road
3. Proposed Zoning Map-26-17-RZO behind 90 Underwood Road
4. Application-26-17-RZO Behind 90 Underwood Road
5. Deed-26-17-RZO Behind 90 Underwood Road
6. DRAFT Ordinance-Standard Rezoning- 26-17-RZO David P. Michaels Behind 90 Underwood Road

TOWN OF FLETCHER
PLANNING DEPARTMENT
AGENDA ITEM COVER SHEET

Meeting Type: Town Council	Meeting Date: October 12th 2026

Title of Item:
Public Hearing: Standard Rezoning–Vacant Lot Behind 90 Underwood Road (David P. Michaels) (26-17-RZO)– Tyler Morrow, Planning & Zoning Director

SUGGESTED REZONING MOTION(S):

Approval:	**Denial:**
I move Town Council **adopt** 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:	I move Town Council **deny** 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	**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. 2. The rezoning is not anticipated to create significant adverse impacts on the	**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

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 5. Draft Ordinance

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-RZO)

Planning Department Staff Report
Tyler Morrow, Planning and Zoning Director

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Map Amendment Process and Request: 4
Existing Zoning & Land Use Map and Description 5
Site Images 6
Land Use Plan Consistency: 8
Permitted Use Comparison: 8
Planning Board Recommendation: 11

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 addressed 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:



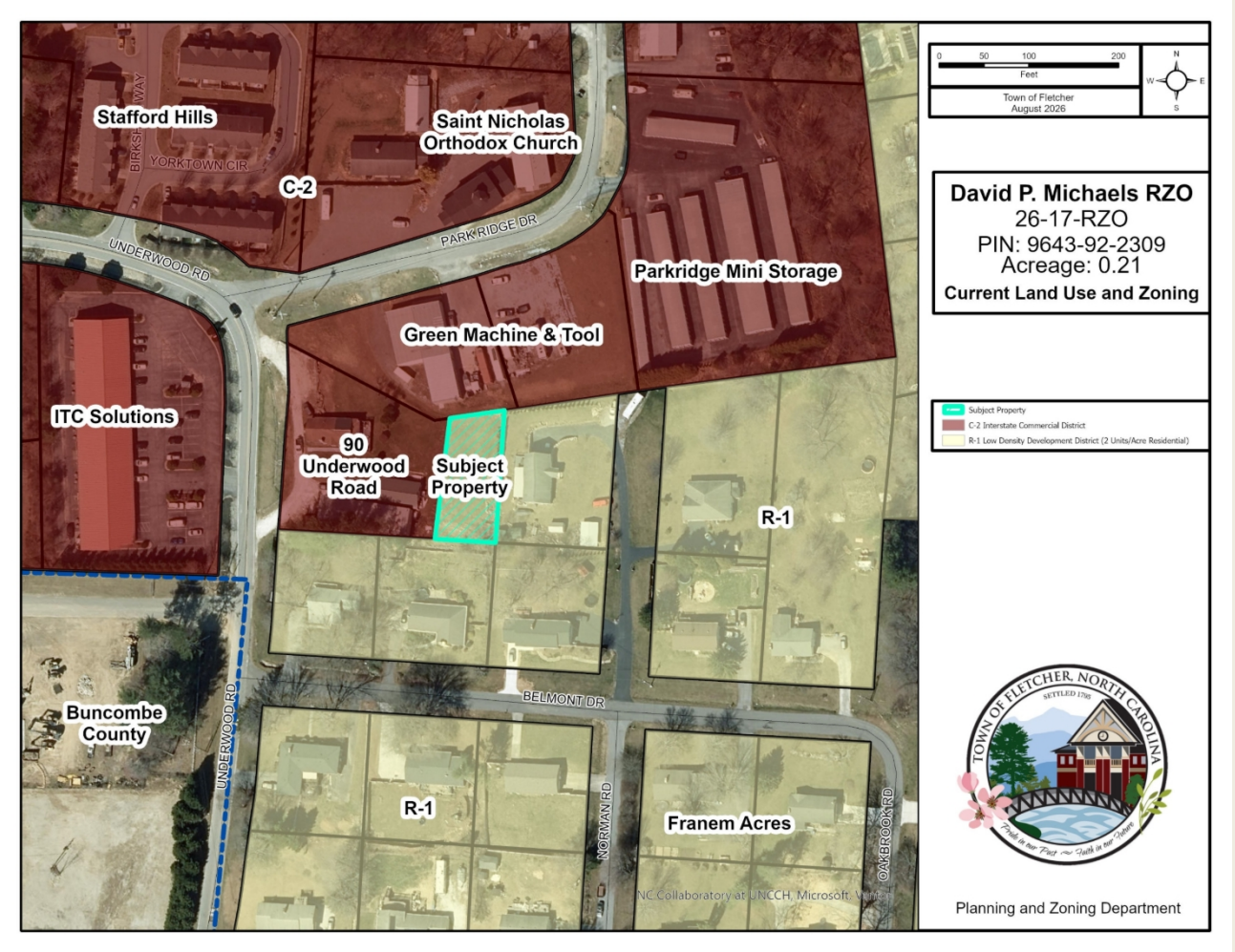
The Planning Board shall review the rezoning request and make a recommendation to the Town Council by majority vote. In its recommendation, the Planning Board shall consider the Comprehensive Plan (Land Use Plan) and state whether the proposed rezoning is consistent with the Plan. Following the Planning 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

Planning Board Recommendation:

The Planning Board voted 7-0 to recommend approval of the Standard Rezoning Request.

Motion by the Planning Board:

I move the Planning Board recommend Town Council **adopt** 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.
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

Vote

Motion: Mike Franklin

Second: Doug Ferguson

For: Robyn Mondin, Mike Franklin, Doug Ferguson, Julia Fogel, Lee Bowser, Jacob Compher, Leslie Cuevas

Against: None



0 50 100 200
Feet

N
W E
S

Town of Fletcher
August 2026

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)

TOWN OF FLETCHER, NORTH CAROLINA
SETTLED 1793
Pride in our Past · Faith in our Future

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 # 964 392 2309 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	DAVID MICHAELS
Name of Agent	**Name of Petitioner(s)**
129 STONE RIDGE TRL	90 UNDERWOOD RD
Agent's Address	Address of Petitioner(s)
MILLS RIVER, NC 28759	FLETCHER, NC 28732
City, State, Zip	City, State, Zip
704-577-1830	828-775-8078
Telephone Number	Telephone Number
Signature of Property Owner if other than Petitioner	Signature

Received By: David P Michaels Date: 8-1-16

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: JAMIE MILLER

Signature: Jamie Miller

Date: 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: 704-577-1830 Fax Number: N/A

NO TITLE EXAMINATION MADE BY ATTORNEY.
Information supplied by Grantors only.

637

STATE OF NORTH CAROLINA — Real Estate Excise Tax — MAY 31 '91 — 03.00

Excise Tax $3.00

Filed and recorded in the Register of Deeds Office for Henderson County, N. C. this 31 day of May, 19 91 at 10:15 o'clock A M. in Book 776 at page 637

Ruby M. Maxwell
Register of Deeds

By: Valerie C. Sirrine Deputy

Recording Time, Book and Page

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, 19 91, by and between

GRANTOR	GRANTEE
MICHAEL FUQUA and wife, ANITA FUQUA	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.

N.C. Bar Assoc. Form No. 3 © 1976, Revised 1977. Printed by CornerStone Printers, Inc.
Printed by Agreement with the N.C. Bar Assoc.-1981.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 623, Page 129

Henderson County Register of Deeds

A map showing the above described property is recorded in Plat Book 9 page 40 .

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Easements, restrictions, rights-of-way and taxes, if any, of record. Grantee hereby assumes and agrees to pay the 1991 ad valorem taxes as they become due and payable.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)

By: _____

President

ATTEST:

Secretary (Corporate Seal)

USE BLACK INK ONLY

Michael C. Fuqua (SEAL)
MICHAEL FUQUA

Anita Fuqua (SEAL)
ANITA FUQUA

(SEAL)

(SEAL)

SEAL-STAMP

NORTH CAROLINA, Buncombe County.

I, a Notary Public of the County and State aforesaid, certify that MICHAEL FUQUA and wife, ANITA FUQUA Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 14th day of May, 19 91.

My commission expires: January 4, 1995 Louise McDonald Notary Public

Use Black Ink

SEAL-STAMP

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____,

personally came before me this day and acknowledged that he is _____ Secretary of _____ a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary.

Witness my hand and official stamp or seal, this _____ day of _____, 19_____

My commission expires: _____ Notary Public

Use Black Ink

The foregoing Certificate(s) of Louise McDonald

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Judy H. Maxwell REGISTER OF DEEDS FOR Henderson COUNTY

By Arlene C. Simpson Deputy/Assistant - Register of Deeds

N.C. Bar Assoc. Form No. 3 © 1976, Revised 1977. - Printed by CornerStone Printers, Inc.

Printed by Agreement with the N.C. Bar Assoc. - 1981.

Ordinance #

AN ORDINANCE OF THE TOWN OF FLETCHER TOWN COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF FLETCHER FOR A CERTAIN PARCEL (POSSESSING PIN 9643-92-2309) BY CHANGING THE ZONING DESIGNATION FROM R-1 LOW DENSITY DEVELOPMENT DISTRICT TO C-2 INTERSTATE BUSINESS DISTRICT

IN RE: Parcel Number: 9643-92-2309
David P. Michaels- No Address Assigned (East of 90 Underwood Road)
(File # 26-17-RZO)

WHEREAS, the Planning Board took up this application at its regular meeting on September 15th, 2026; voting 7-0 to recommend Town Council approve an ordinance amending the official zoning map of the Town of Fletcher, and

WHEREAS, Town Council took up this application at its regular meeting on October 12th, 2026, and

WHEREAS, Town Council has found that this zoning map amendment is consistent with the Town's land use plan, and found that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, Town Council has conducted a public hearing as required by the North Carolina General Statutes on October 12th, 2026,

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fletcher, North Carolina:

1. Pursuant to Article XV of the Land Development Code of the Town of Fletcher, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Number: 9643-92-2309, changing the zoning designation from R-1 Low Density Development District to C-2 Interstate Business District.

2. Any development of this parcel shall occur in accordance with the Land Development Code of the Town of Fletcher, North Carolina.

3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 12th day of October, 2026.

_____
Preston Blakely, Mayor, Town of Fletcher

Attest:

_____

Christine Thompson, Town Clerk

MEMORANDUM

TO: Honorable Mayor and Town Council

FROM: Tyler Morrow, Planning & Zoning Director

COPY TO:

DATE: 10/12/2026

SUBJECT: Public Evidentiary Hearing: Special Use Permit Review: 67 Old Case Road Campground (26-18-SUP)– Tyler Morrow, Planning & Zoning Director

Background:
Application for a special use permit for the subject property located at 67 Old Case Road (PIN: 9653-23-9183) to allow for a one-unit RV campground. The subject property consists of approximately 0.52 acres.

Recommendation:
Suggested motions are provided in the packet.

Attachments:
1. Agenda Item- 67 Old Case Road 26-18-SUP
2. Staff Report-67 Old Case Road 26-18-SUP
3. Site Plan-67 Old Case Road Campground
4. Corey Nelsen Applicant Narrative
5. Application-67 Old Case Road Campground
6. Written Findings - 67 Old Case Road Campground 26-18-SUP

TOWN OF FLETCHER
PLANNING DEPARTMENT
AGENDA ITEM COVER SHEET

Meeting Type: Town Council	Meeting Date: October 12th 2026
Title of Item: Public Evidentiary Hearing: Special Use Permit Review: 67 Old Case Road Campground (26-18-SUP)– Tyler Morrow, Planning & Zoning Director	

SUGGESTED SPECIAL USE PERMIT MOTION(S):

Approval:	**Denial**
I move Town Council **approve** 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 Town Council **deny** 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 5. Written Findings

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 Images 6
Site Plan Summary: 8
Supplemental Use Standards: 9
Planning Board Recommendation: 10
Planning Board Recommendation Continued: 11

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:

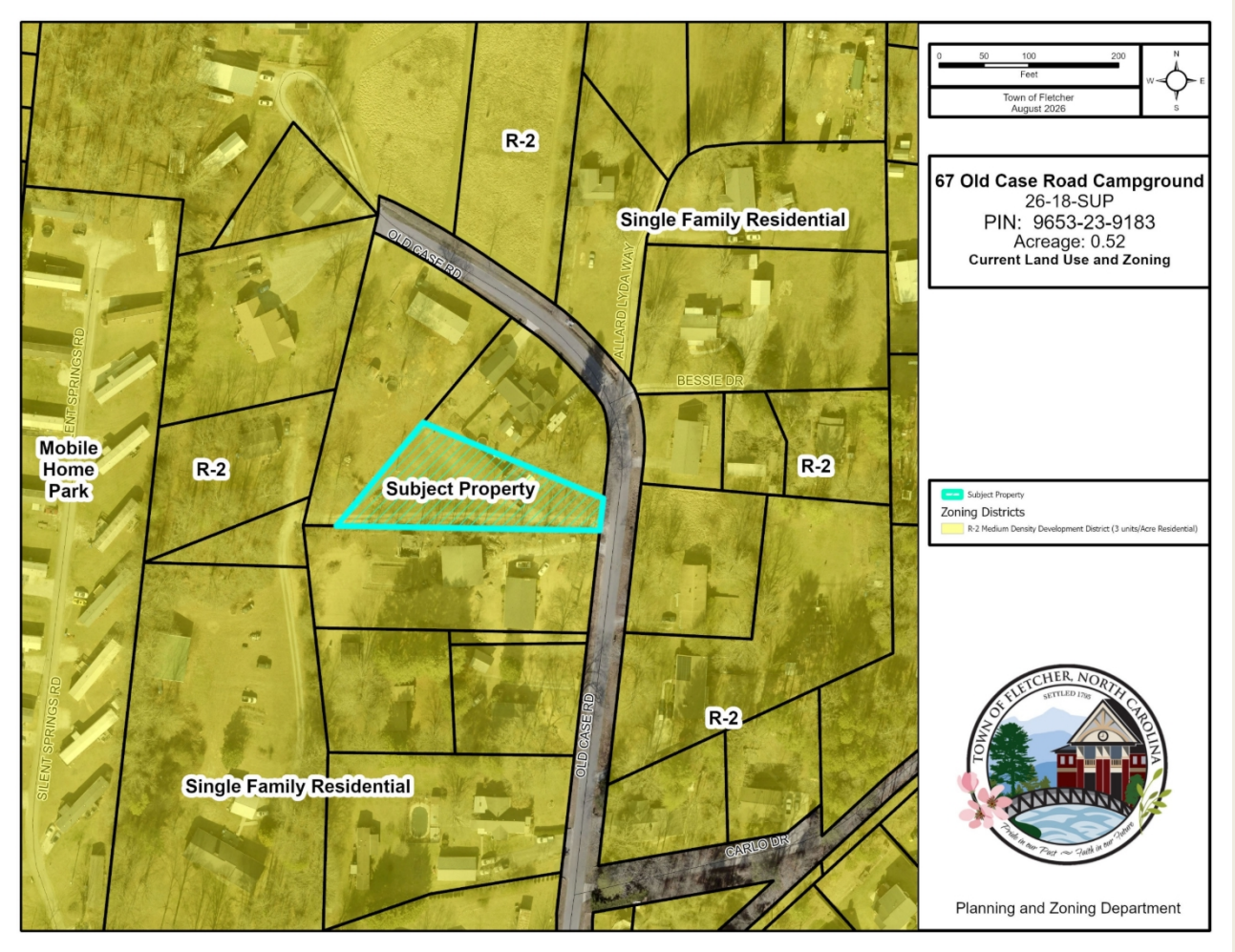
1. A complete application has been submitted in accordance with the requirements of the Town Code.

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.

The site plan presented to the Planning Board showed 2 RV spaces on the property. During its deliberation and motion, the Planning Board recommended a condition that the campground be limited to the one existing RV rather than allowing an additional RV space. The applicant agreed to this condition, and the site plan presented to the Town Council reflects only the one existing RV.

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, the property is proposed to remain largely as it exists today.

Supplemental Use Standards:

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

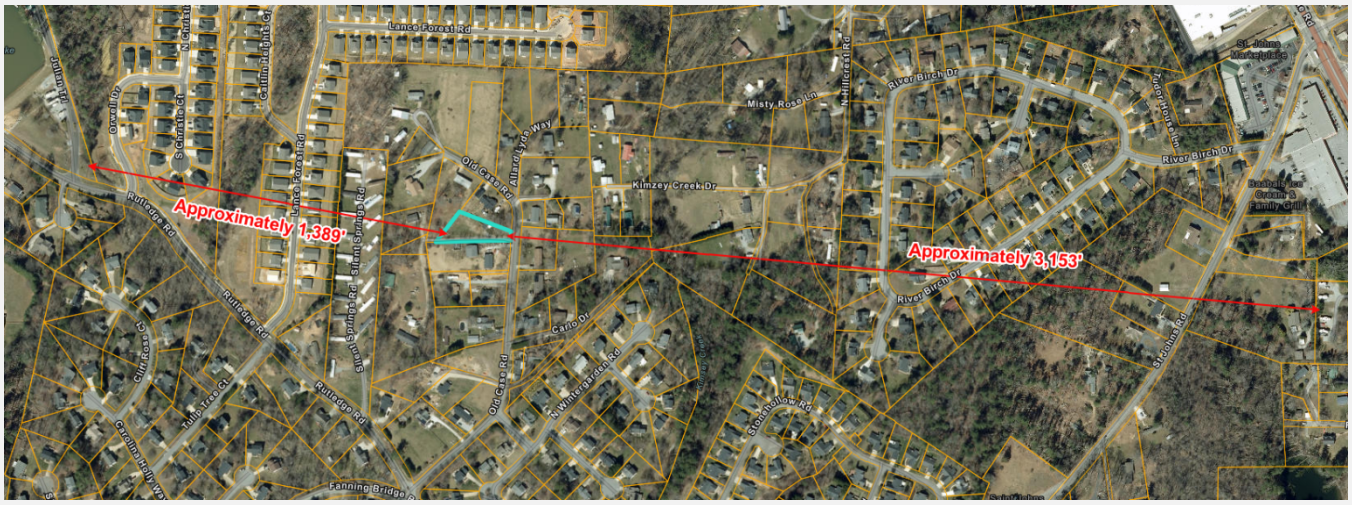
1. The placement of any campground shall not create a negative impact on the landscape, environment or natural features of the site.

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 one proposed RV space, the overall density of the site is approximately 3.77 units per acre. If only the one RV space is counted, the resulting density is approximately 1.89 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.

Planning Board Recommendation:

The Planning Board voted 4-3 to recommend approval of the Special Use Permit.

Motion by the Planning Board:

I move the Planning Board recommend Town Council approve 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.

With the condition that the number of RV spaces would be reduced from 2 to 1

Conditions and Discussion

During the Planning Board's deliberation, two primary issues emerged as potential areas of concern and possible conditions of approval. These included reducing the number of proposed RV spaces from two to one and determining how utilities would serve the campground. The Planning Board ultimately included the reduction from two RV spaces to one as a formal condition of its recommendation. However, no formal condition was adopted regarding utilities.

The primary utility concern centered on wastewater disposal. Under the current operation, the property owner transports the RV wastewater tanks from the site to Camping World approximately every three to four days for disposal. Several Board members expressed concerns about potential health and safety issues associated with this practice, particularly the transportation of wastewater along public roadways. The Board also discussed whether a more permanent wastewater solution would be appropriate if the property is approved for continued campground use.

Following the Planning Board meeting, staff contacted Henderson County Environmental Health to seek clarification regarding the current wastewater disposal method and potential alternatives. Environmental Health advised that it does not regulate the transportation of wastewater and that such requirements would fall under the jurisdiction of the North Carolina Department of Environmental Quality. Staff was not able to obtain additional guidance from NCDEQ prior to preparation of this report.

Henderson County Environmental Health did advise that connecting the RV to the property's existing septic system may be permissible, provided the system has adequate capacity to accommodate the additional wastewater flow. This process would generally require coordination with Henderson County Building Inspections, completion of the application, and an affidavit from the property owner confirming that the existing septic system has sufficient capacity for the additional flow. Based on the information provided by Henderson County, connection to the existing septic system may be a potential long term wastewater solution if the campground is approved.

Planning Board Recommendation Continued:

Water service was also discussed, although it was a lesser concern. The existing RV currently receives water from the single-family residence through a hose connection. Overall, the Planning Board's utility discussion focused primarily on wastewater disposal and whether a more permanent wastewater connection should be established as part of an ongoing campground use.

Vote

Motion: Jacob Compher Second: Robyn Mondin

For: Robyn Mondin, Mike Franklin, Lee Bowser, Jacob Compher

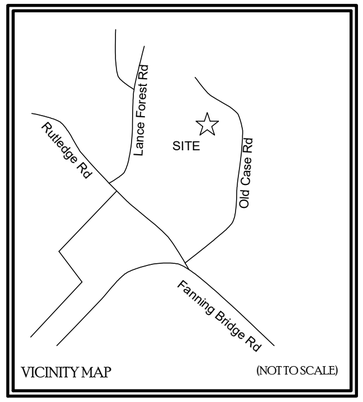
Against: Julia Fogel, Leslie Cuevas, Doug Ferguson

SITE PLAN FOR
CORY & MICHELLE NELSEN (OWNER)

TRACT B PLAT SLIDE 8745
67 OLD CASE ROAD

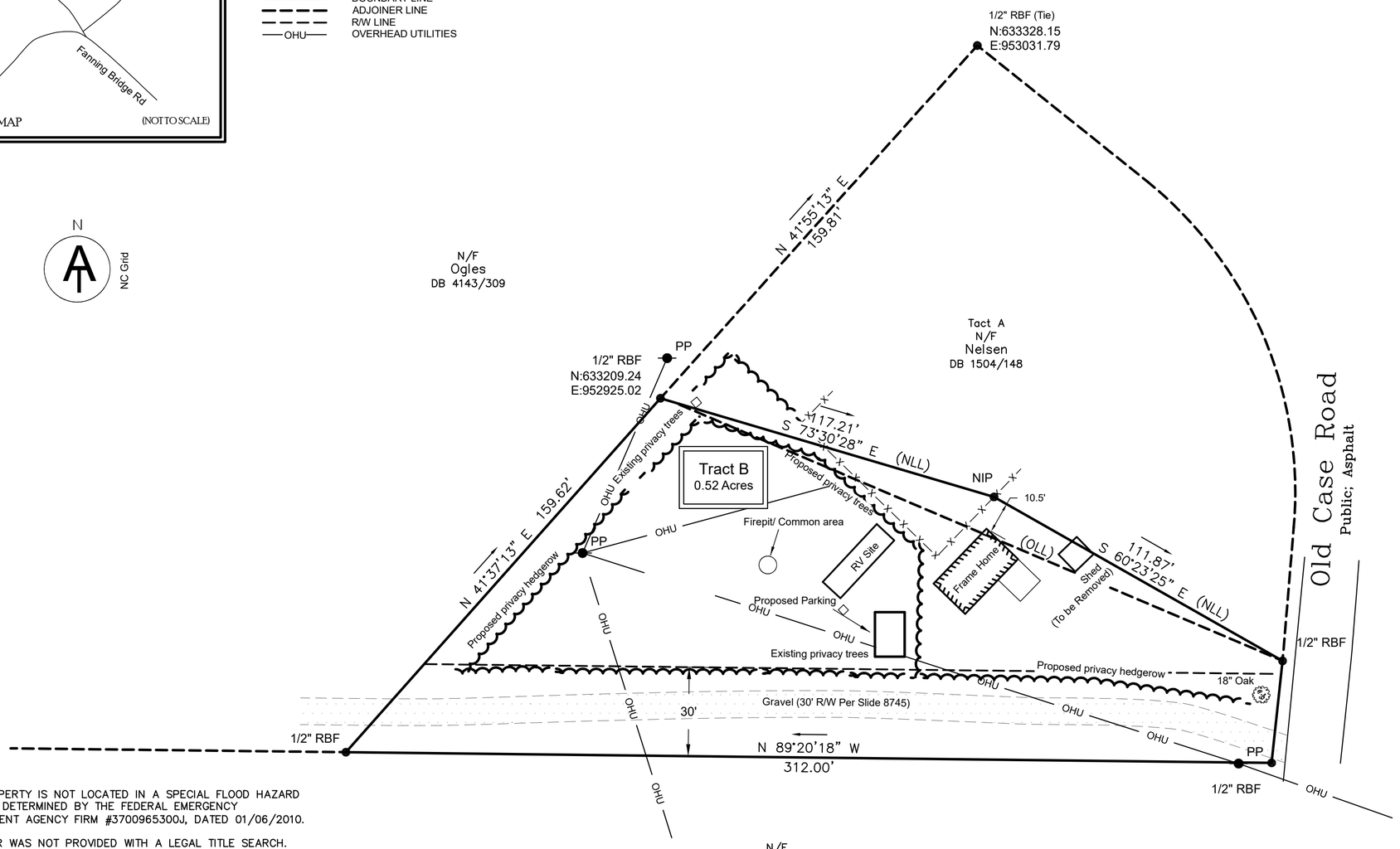
STATE OF NORTH CAROLINA
HENDERSON COUNTY
HOOPERS CREEK TOWNSHIP

REFERENCES
DEED BOOK 1504 PAGE 148
PLAT SLIDE 8745
PIN 9653-23-9183



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



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 SHOWED 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.

0 30 60 90
1" = 30'

I, Charles P. Erdman, certify that this survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. G.S.47-30(f)(11)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

NORTH CAROLINA PROFESSIONAL SEAL L-5571 LICENSED SURVEYOR CHARLES P. ERDMAN

C. P. ERDMAN PLS L-5571
FIRM LICENSE # P-2907

N
W Erdman Land Surveying, PLLC
PO Box 333
Flat Rock, NC, 28731
Phone: (828) 216.3815

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: Nelsen 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 Nelsen	Michelle Nelsen
Name of Agent	**Name of Petitioner(s)**
85 old case Rd	85 Old Case Rd.
Agent's Address	Address of Petitioner(s)
Fletcher NC 28732	Fletcher NC, 28732
City, State, Zip	City, State, Zip
828-606-3112	808-351-8218
Telephone Number	Telephone Number
Signature of Property Owner if other than Petitioner	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

TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER

COUNCIL MEMBERS:
TREVOR LANCE
JIM PLAYER
KEITH REED
AMBER MCKINNEY

TOWN COUNCIL'S WRITTEN FINDINGS

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

FINDINGS OF FACT

1. Cory Nelsen and Michelle Nelsen are the applicants and property owners of the approximately 0.52-acre parcel identified as PIN 9653-23-9183 and addressed as 67 Old Case Road. The property contains an existing single-family residence and one recreational vehicle.

2. The subject property is zoned R-2, Medium Density Development. Campgrounds are permitted in the R-2 District only upon approval of a Special Use Permit.

3. The applicants have requested approval to operate a campground on the subject property. The site plan presented limits the campground to one recreational vehicle located behind the single-family residence; no additional RV space is proposed.

4. The site plan provides for continued use of the existing gravel driveway from Old Case Road, new vegetative screening around the campground area, and open green recreational space including a communal firepit. No roadway improvements, new buildings, or changes to impervious surface are proposed.

5. The proposed campground is subject to the supplemental use standards for campgrounds. The submitted materials show Type B transition yard screening, separation of more than 1,000 feet from the two campgrounds identified by staff in the surrounding area, a campground density below the maximum of 10 campsites per acre, and at least 10 percent of the project area devoted to open space or recreational area.

6. On September 15th 2026, the Town of Fletcher Planning Board reviewed the Special Use Permit petition and voted 4 to 3 to recommend approval, finding that the nine criteria for issuance of a Special Use Permit had been met, subject to the condition that the number of RV spaces be reduced from two to one. The applicant agreed to the reduction, and the revised site plan reflects one RV space.

7. On October 12th, 2026, the Town of Fletcher Town Council conducted a duly advertised and noticed evidentiary hearing on the Special Use Permit petition.

CONCLUSION AND DECISION

1. Based on the application, the evidence presented at the evidentiary hearing, and the foregoing findings of fact, the Town of Fletcher Town Council voted ___ to ___ on October 12th, 2026, concluding that the 67 Old Case Road Campground does/does not meet each of the nine standards for a Special Use Permit set forth in Article 15.10 of the Town of Fletcher Land Development Code and the applicable supplemental use standards for campgrounds.

2. Cory Nelsen and Michelle Nelsen are/are not hereby granted a Special Use Permit to operate a campground on the subject property (PIN 9653-23-9183), consisting of approximately 0.52 acres, in accordance with the site plan.

3. The following conditions are attached to Town Council's approval. (if applicable)
   a.

Adopted this 12th day of October 2026.

_____
Preston Blakely, Mayor

Attest:

_____
Christine Thompson, Town Clerk

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to all conditions imposed pursuant to the terms.

IN RE: Parcel Number: 9653-23-9183
Address: 67 Old Case Road
Project: 67 Old Case Road Campground (File # 26-18-SUP)

Applicant/Property Owner: Michelle Nelsen

Signature: _____

Printed Name: _____

Title: Property Owner

Date: _____

Applicant/Property Owner: Cory Nelsen

Signature: _____

Printed Name: _____

Title: Property Owner

Date: _____

MEMORANDUM

TO: Mayor & Council

FROM: Mark Biberdorf, Town Manager

COPY TO: Heather Taylor, Assistant Town Manager

DATE: 9/22/2026

SUBJECT: Discussion of proposed legislative priorities for 2026-2027 - Mark Biberdorf, Town Manager

Background:
Attached for Council's review is a draft legislative priorities list for 2026-2027, a project list for potential legislative assistance, and the North Carolina League of Municipalities' Legislative Goals List. I will review this information in greater depth with you at the meeting.

Recommendation:
Approval of the proposed 2026-2027 legislative priorities list for Fletcher.

Attachments:
1. Memo To Council - Proposed Legislative Priorities for 2026-2027
2. Proposed Legislative Priorities List for 2026-2027
3. Requests for Legislative Assistance on Projects
4. NCLM Legislative Goals List for 2025-2026

MEMORANDUM

TO: Mayor and Town Council

FROM: Mark E. Biberdorf, Town Manager

DATE: September 22, 2026

SUBJECT: Legislative Priorities List for 2026-2027

Last year I prepared a draft Legislative Priorities List that was ultimately approved and used for meetings with members of our legislative delegation. I have included a similar updated list for your review and discussion in addition to a specific project list for funding assistance.

Also attached is the North Carolina League of Municipalities' Legislative Goals to show how it mirrors some of our priorities.

If you should have any questions on this item prior to the meeting, please let me know.

MEB/meb

Attachments

2026 – 2027 Legislative Priorities for Town of Fletcher

1) Development of the Fletcher Town Center – Funding support for infrastructure to the site, construction of public facilities, and creation of jobs.

2) Support for funding mechanisms to be put in place when state or federal legislation is passed that requires municipalities to carry out the provisions of the legislation – no unfunded mandates.

3) Expanded grant funding for the development of local recreational facilities – indoor recreational facilities for Parks & Rec. and outdoor facilities, including greenways.

4) Expanded grant funding to support smaller law enforcement agencies with equipment, staffing, and facility needs.

5) Advocating for western North Carolina getting an equitable share of community and economic development funds.

6) Seeking legislation that would provide the Town with enhanced local option revenue sources that are approved by a local referendum, i.e. local option sales tax, occupancy taxes designated for local services, and impact fees for transportation.

7) Assistance for expanding the availability of water and sewer to un-served areas as identified by the Town of Fletcher.

8) Ensure that adequate funding is in place to maintain DOT roads to a high standard.

9) Support for additional federal and state resources to facilitate workforce housing projects.

10) Identify federal and state resources to help develop a new Fletcher Library branch in the Town Center area.

11) Protect local control of zoning and other land use regulations to reflect the interests of the community in determining allowable uses for development.

12) ~~Advocating for adequate funding to meet unmet needs related to Hurricane Helene.~~

12) *Work with legislative delegation to advocate for legislation that reflects local service needs when setting property tax limits.*

Town of Fletcher
Requests for Legislative Assistance

Project Name	Organization	Location	Cost Information	Project Description & Cost Share Opportunities
Cane Creek Greenway Extension	Town of Fletcher	Areas along Cane Creek extending from Bill Moore Community Park in Fletcher toward the French Broad River.	$3,000,000 - $5,600,000	The Town of Fletcher has been working for several years with adjoining property owners and Conserving Carolina to extend the Cane Creek Greenway. This would help to create a new leg of our greenway system that could connect with a larger regional system. Funding from the legislature could be used as a potential grant match along with local funding. The Town is also pursuing federal grants for this project.
Fanning Bridge Road Sewer Extension Project	Town of Fletcher	Westfield Road, North Hudson Lane, and Dogwood Terrace located off of Fanning Bridge Road	$1,400,000	Certain areas of Fletcher do not have sanitary sewer service but could greatly benefit from this service due to struggling septic systems. One particular area that would benefit from the extension of sewer is a neighborhood located off of Fanning Bridge Road. This neighborhood consists of the properties located on Westfield Road, North Hudson Lane, and Dogwood Terrace. The Town has been in communication with the Metropolitan Sewerage District (MSD) to discuss the logistics for extending sewer service to the Fanning Bridge Road neighborhood.
Fletcher Library Branch	Town of Fletcher	Fletcher Town Center Property	TBD	The Town is advocating for the replacement of the Fletcher Branch Library. The current building is in less-than-ideal condition, and they have outgrown their space. The Fletcher Branch is the busiest branch location for the Henderson County library system. The Town would like to work on a joint project with Henderson County to relocate the facility to the Town Center area of Fletcher.



2025-26 NCLM Legislative Goals

RESILIENT INFRASTRUCTURE

Establish long-term funding streams that adequately address water, sewer, stormwater, transportation and other infrastructure needs.

- Infrastructure – including roads, water, sewer, stormwater, parks and beaches – is critical to economic development and job creation.
- Many cities in the state are growing, creating a constant need for investment to keep pace with population growth; many cities and towns also have aging infrastructure that must be replaced.
- Creating long-term and more permanent funding streams for infrastructure will ensure adequate investments so that North Carolina thrives now and into the future.

Expand state transportation funding streams for construction and maintenance of municipal and state-owned secondary roads.

- Current Powell Bill and other state funding is not adequate to address transportation needs, particularly as they affect municipal and state-owned secondary roads.
- In many cities and towns, major commuting corridors are not receiving the level of investment needed to keep pace with traffic.
- More investment is needed for these roads if existing residents are to embrace business and residential growth.

Create incentives that encourage and adequately fund regionalized water and sewer solutions.

- A number of municipal water and sewer systems continue to financially struggle with deferred maintenance needs.
- These challenges came about largely due to population and job losses in rural areas, leading to an erosion of taxpayer and ratepayer bases.
- While legislators and municipalities have begun to address these issues with the creation of the Viable Utility Reserve and the use of ARPA funding, state estimates show needs still exceed expenditures by several billion dollars.

HEALTHY FINANCES

Expand funding opportunities for disaster resiliency and recovery efforts.

- North Carolina has faced a number of damaging natural disasters in recent years, including the unprecedent storm that devastated the western part of the state in the fall of 2024.
- To fully recover from these natural disasters requires a broad approach that focuses on infrastructure, housing and economic losses.
- Federal assistance and private insurance will not be enough to address these ongoing, critical needs or mitigate damage when future disasters hit.

Provide local revenue options beyond the property tax.

- Roughly 40 percent of municipal general fund revenue is generated by local property taxes.
- Cities have little to no authority to raise significant revenue in other ways.
- A lack of diverse, local tax options can affect economic growth, as well as cause large swings in revenue based on economic changes.

Expand incentives and funding for local economic development.

- Funding is simply inadequate in many cities and towns to encourage job growth.
- State grants and incentives are often targeted in ways that fail to assist the areas in greatest need of job creation.
- Maintaining or expanding funding for film tax credits, major industrial site development, downtown development and renewable energy tax credits helps cities and towns across the state.

UPLIFTING UNDERSERVED COMMUNITIES

Support technical assistance programs to assist municipalities with securing or maintaining grants or other necessary municipal resources.

- Many municipalities do not have the resources to seek or administer grants, even as that source of funding could help meet the needs of residents.
- State, federal and other grant funding offers a significant opportunity for cities and towns to improve infrastructure or enhance services.
- Providing technical assistance to these municipalities can provide them with access to grant funding, providing resources not otherwise available to them.

VIBRANT COMMUNITIES & NEIGHBORHOODS

Preserve authority for extraterritorial jurisdiction to ensure that growth is well-planned and investments by homeowners and business owners are protected.

- A community's land-use planning tools, including ETJ, are vital as infrastructure investments are made that pave the way for economic growth.
- Protecting homes and businesses from incompatible uses continues to be an important feature of ETJs. As of 2022, at least 14 counties in North Carolina had no zoning restrictions, with several others being only partially zoned.
- Protecting neighborhoods from incompatible uses ultimately protects the value of residents' homes and property.

Update the annexation petition thresholds to make voluntary annexations easier to initiate.

- Voluntary annexation by petition currently requires 100 percent consent from all property owners, a threshold that can be impossible to meet even if a majority of property owners can benefit by utilizing their property for business or residential purposes.
- Lowering the threshold from 100 percent represents a middle ground that would still reflect the will of property owners but not handicap communities' ability to economically thrive.
- The ability of a city or town to grow and reflect its urban footprint is vital to it financial health; city services are relied on by residents whether they live in or near municipal boundaries.

ADAPTIVE MUNICIPAL OPERATIONS

Protect the ability of municipal elected officials, acting on behalf of local voters, to determine election formats, districts and other election matters currently under their purview.

- Locally-elected municipal officials are best positioned to understand the wishes of local voters and how those should be applied to local election matters.
- In many areas, residents prefer to avoid political polarization when it comes to the practical tasks of municipal government.
- Locally-elected municipal officials are in their communities every day and accessible to voters.

FLETCHER POLICE DEPARTMENT
TEAMWORK - PROFESSIONALISM - DEDICATION

DANIEL D. TERRY
CHIEF

MEMORANDUM

To: Mark Biberdorf, Town Manager

From: Chief D. Terry

Date: October 5, 2026

Re: September 2026 Monthly Report

Training & Professional Development:

- Sergeant Elizondo attended a 40-hour Interview and Interrogation course to enhance his investigative skills as they relate to the gathering of information through interviewing and interrogating persons.
- Sergeant Kilby attended the 2-day tactical mindset seminar, a conference with the opportunity to learn from top experts in the field on topics of health, wellness, and resiliency.
- Sergeant Diaz taught a 2-day Juvenile Law class for BLET at AB-Tech.
- Captain Fulmer attended the North Carolina Chiefs of Police Association's 40-hour Police Chief Institute hosted by the North Carolina Justice Academy.
- The department began its fall in-house training at AB-Tech. Topics covered included Interdiction for the Protection of Children and CPR. Officers also had the opportunity to take the POPAT and receive two wellness days off for those that passed the test. The POPAT is the physical fitness test required of BLET students before they can graduate from the training program and be certified as police officers. Once officers graduate BLET they are no longer required to take and pass the POPAT. This is the third year the department has provided day off benefits for those who take and pass the test.

We had a total of 481 calls for service for the month of September. This does not include 703 extra security checks. Fifty-five incident reports were filed. Nineteen of these incidents required some type of investigative follow-up to be conducted. Twenty-six citations were issued for a total of 31 charges. Nineteen auto accidents were reported and 23 arrests were made.

Activities of interest for the month of September include:

- An increase in disorder and trespass type calls has been observed this past month. Several arrests have been made, and some investigations are ongoing related to apparent homeless people committing crime. This observed increase could coincide to the recent closing of The Salvation Army's Center of Hope shelter. In addition, information has been received that the Asheville Police have been moving homeless people out of the

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downtown area. Whether this is a long-term effort or done temporarily because of the PGA Golf Tour and the visit of some VIP's is unknown.

- Members of the department and town management met with Broadmoor Golf Course, DOT, the Asheville Airport Authority, and other local law enforcement agencies to discuss the issue of golf balls from the driving range being found on adjacent I26 property and roadways. The golf course is working towards installing nets necessary to protect the traveling public. This is an ongoing project and discussion.
- After receiving a report from a man claiming his credit card was left at a retail establishment and then used multiple times by an unknown user, officers determined there had been several similar reports by this man throughout WNC. An investigation ensued and it was determined the man was reporting his cards stolen, using them, obtaining the merchandise and then getting reimbursed by the bank after reporting the credit card stolen. He was arrested and charged with 2 felony counts of Obtaining Property by False Pretense, Filing a False Police Report, and Resisting, Obstructing, Delaying a Police Officer. Additional charges may be forthcoming as the investigation continues.
- During the month, officers made (4) warrants arrests, (7) DWI arrests, (5) methamphetamine arrests, (2) fentanyl arrests, (1) cocaine arrest, and (5) marijuana and/or paraphernalia related arrests.
- Community engagement activities for the month of September included participation at Henderson County's 911 Memorial Service, Fletcher's Fall Festival, and assisting with Waynesville Police Department's Sergeant Assessment Center. Officers attended the Henderson County Investigator's Meeting, and the department hosted the Henderson County DSS Multi-Disciplinary Team Meeting.

Respectfully Submitted,

Chief Dan Terry

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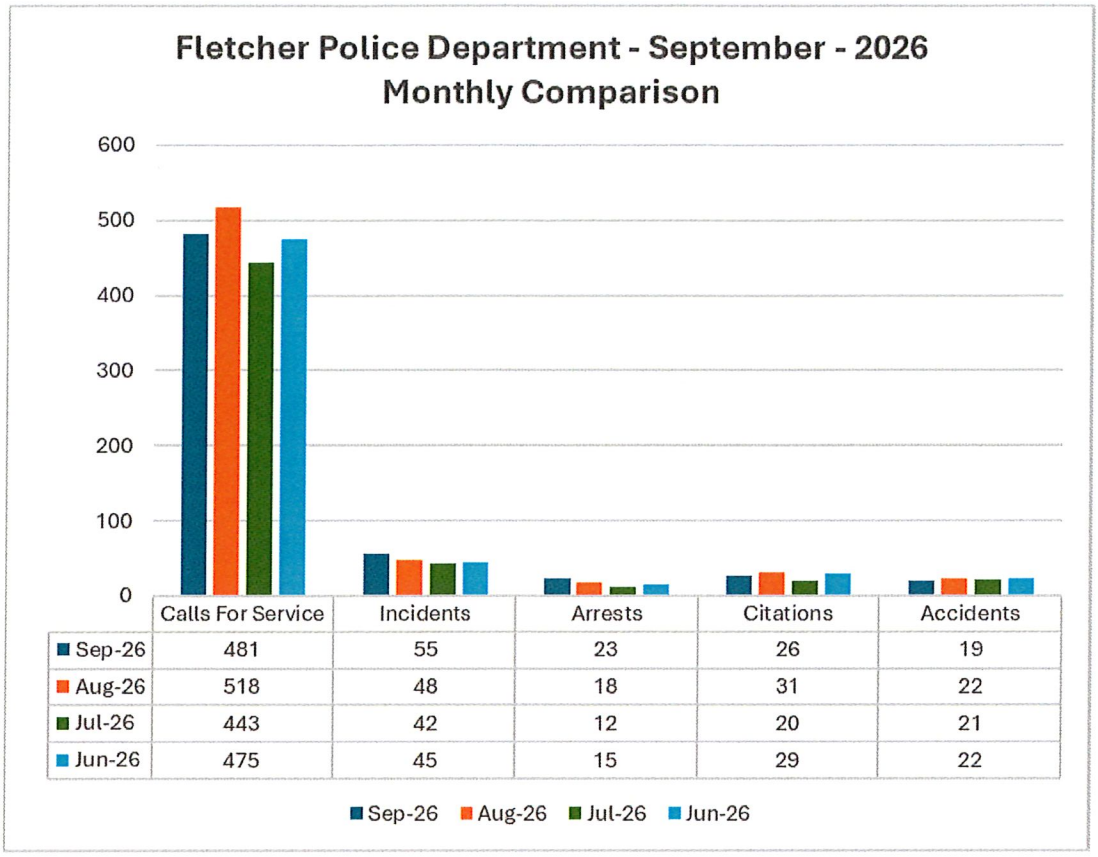

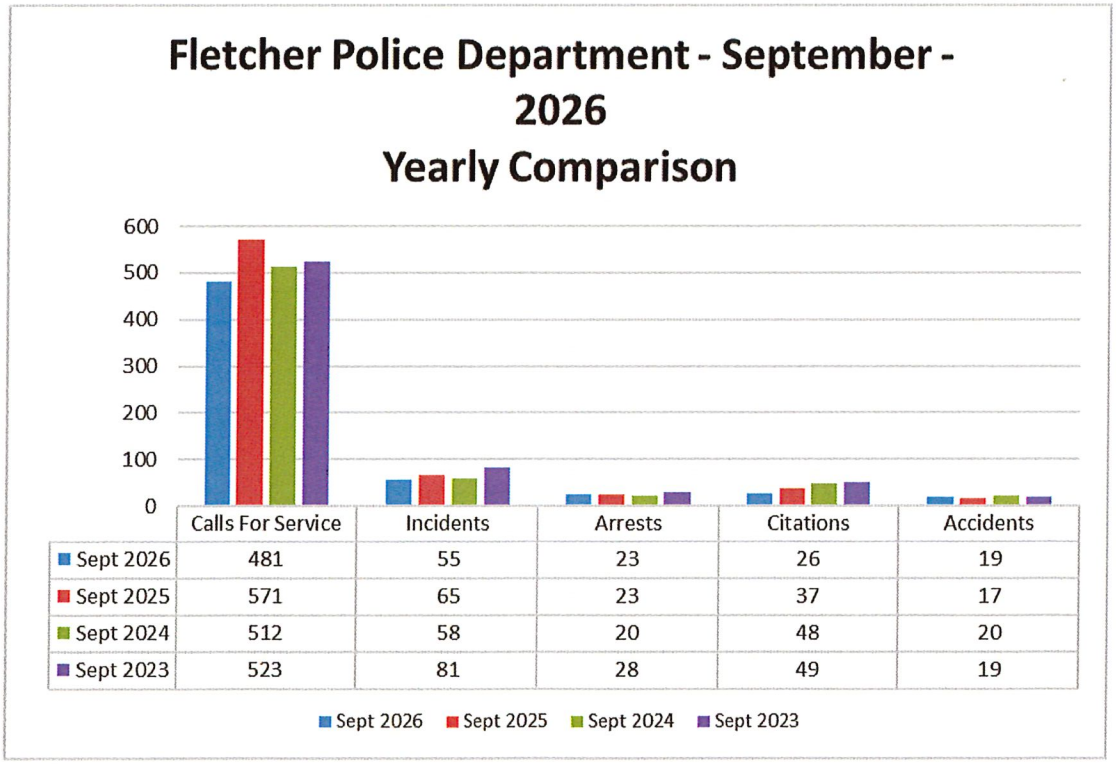

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FLETCHER POLICE DEPARTMENT
CRIMINAL INV DIVISION
SEPTEMBER 2026 STATISTICS

OFFENSE	MONTHLY ACTIVITY 2026					CUMULATIVE 2026				
	ASSIGNED	CLEARED w/ ARREST	EXCEPTIONALLY CLEARED	ADMINISTRATIVELY CLEARED	UNFOUNDED	OPEN PENDING	CLEARED BY ARREST	EXCEPTIONALLY CLEARED	ADMINISTRATIVELY CLOSED	UNFOUNDED
ARSON										
ASSAULT/BATTERY							1			
B&E (COMMERCIAL)							4			
B&E (RESIDENTIAL)							1		1	
B&E (TO MOTOR VEHICLE)										
CHILD ABUSE (PHYSICAL/NEGLECT)							1		2	3
CRIMINAL DAMAGE	1			1					2	
CRIMINAL TRESPASS										
DEATH INVESTIGATIONS	1					2	1		1	2
DOMESTIC VIOLENCE										
DRUG INVESTIGATIONS				1					1	
ELDER ABUSE-FINANCIAL										
ELDER ABUSE-PHYSICAL						1				2
FINANCIAL CRIMES/ID THEFT	1	1		1		2	3	3	11	1
HARASSMENT/INTIMIDATION									1	
HOMICIDE										
LARCENY	1					1	4	1		
MISSING PERSON (ADULT)								1		
MISSING PERSON (JUVENILE)										
MOTOR VEHICLE THEFT/UUMV									1	
ROBBERY										
SEX OFFENSE						1			3	2
SUICIDE/ATTEMPTED										
OTHER									2	
TOTAL	4	1	0	3	0	7	15	5	25	10
LAST MONTH	4	2	0	5	2					
YEAR-TO-DATE										

Department of Social Services		2026 YTD
TOTAL CASES REVIEWED	0	25
TOTAL CASES ASSIGNED	0	15

CITIZEN ASSIGNMENT LETTERS SENT 3 75

25% Clearance rate for September 2026

55% Year-To-Date

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Fletcher Parks & Recreation Department

Monthly Report – September 2026

Programs & Events

Yoga in the park

Yoga in the Park continued throughout September, providing participants with an opportunity to enjoy an outdoor fitness program in a relaxed park setting. Yoga in the park will run until October 22nd.

Intermediate Ladies Pickleball League

The Intermediate Ladies Pickleball League first night began on September 28th. This league provides players with organized competition and an opportunity to stay active while building community through recreational play.

Fall Family Festival

The Fall Family Festival was held at Bill Moore Community Park and featured a vendor market, food trucks, kids' activities, live entertainment, and fireworks. The community was able to enjoy the festival, activities, and entertainment before thunderstorms moved into the area and forced the event to be canceled at 5:00 p.m. The fireworks were the highlight of the evening and provided a memorable ending for the community before the storms arrived.

Facilities & Maintenance

Bill Moore Community Park & Kate's Park

Our maintenance team continues to do an outstanding job keeping both parks clean, safe, and welcoming for residents and visitors. Their dedication ensures our facilities remain in excellent condition throughout the busy summer season.

September Maintenance Projects Completed:

- Pressure washed park shelters on a weekly basis.
- Mowed park grounds five days per week.
- Blew debris from sidewalks, trails, and playground areas.
- Conducted routine playground safety inspections.
- Removed debris from the back trail.

• Ordered supplies and prepared facilities for the upcoming fall baseball and softball season.

• Pressure washed Parks & Recreation equipment weekly.

- Fixed drainage culvert near baseball/softball fields

Volunteer Day – A group of students from Christ School volunteered on September 9th at Bill Moore Community Park to help with park maintenance and beautification. The group assisted with mulching and cleaning up the trails leading down to Cane Creek, helping improve the appearance and accessibility of the area for park visitors.

Public Works Department
Monthly Report
SEPTEMBER 2026

Brush Pick Up

Public Works collected 380 brush orders which produced 312 Cyds of brush.

Vehicles

Public Works performed service on three Public Works vehicles, ten police cars and four Parks & Rec vehicles.

Sanitation

Public Works collected 177.48 tons of garbage for a daily average of 8.07 tons.

Public Works collected 7 white goods.

Stormwater

Stormwater Grant was awarded to Ms. Sarah Harper at 10 Grove End Road.

I have spent over 6 hours during the month of August with either on site visits, e-mails, phone calls or collecting data.

Public Works cleaned the underground stormwater system at Town Hall.

Budget

During the month of September, gas prices have risen $0.50 while diesel prices have risen $0.85. If these prices continue, Public Works fuel expenses will exceed their proposed budget.

TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER

COUNCIL MEMBERS:
TREVOR LANCE
JIM PLAYER
KEITH REED
AMBER MCKINNEY

Planning & Zoning Department Monthly Update- September 2026

- The Planning Board held its regular meeting on September 15 and reviewed two agenda items. The Board unanimously recommended approval of a standard rezoning request on Underwood Road. The Board also reviewed a Special Use Permit application for a proposed campground at 67 Old Case Road, resulting in a 4 to 3 vote on the motion to recommend approval.

- The Zoning Board of Adjustment held its regular meeting on September 15 and considered a variance application for 55 Baldwin Circle. The Board unanimously approved a side setback variance associated with the reconstruction of the home through the RENew NC program. Due to limitations associated with the available home designs, the replacement home requires an 8-foot side setback on each side rather than the standard 10-foot setback.

- Tyler attended the French Broad River Metropolitan Planning Organization Technical Coordinating Committee meeting, where regional transportation planning initiatives and priorities were discussed.

- Planning and Fletcher Police Department staff joined NCDOT, the North Carolina State Highway Patrol, Asheville Regional Airport, and representatives from Broadmoor Golf Links to discuss golf balls leaving the driving range and entering I-26. Fletcher staff primarily attended to provide information as needed, while Broadmoor and NCDOT continue working toward potential solutions.

- The Town held its litter pickup event on September 26, beginning at Town Hall. Participants spent two hours collecting litter along portions of Old Cane Creek Road, Cane Creek Road, US 25, and Howard Gap Road. Special thanks to Councilman Lance and Town Manager Biberdorf for participating and assisting with the event. Their help and support were greatly appreciated.

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