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

Project Summary 3
Special Use Permit Process: 4
Existing Zoning & Land Use Map and Description 5
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:

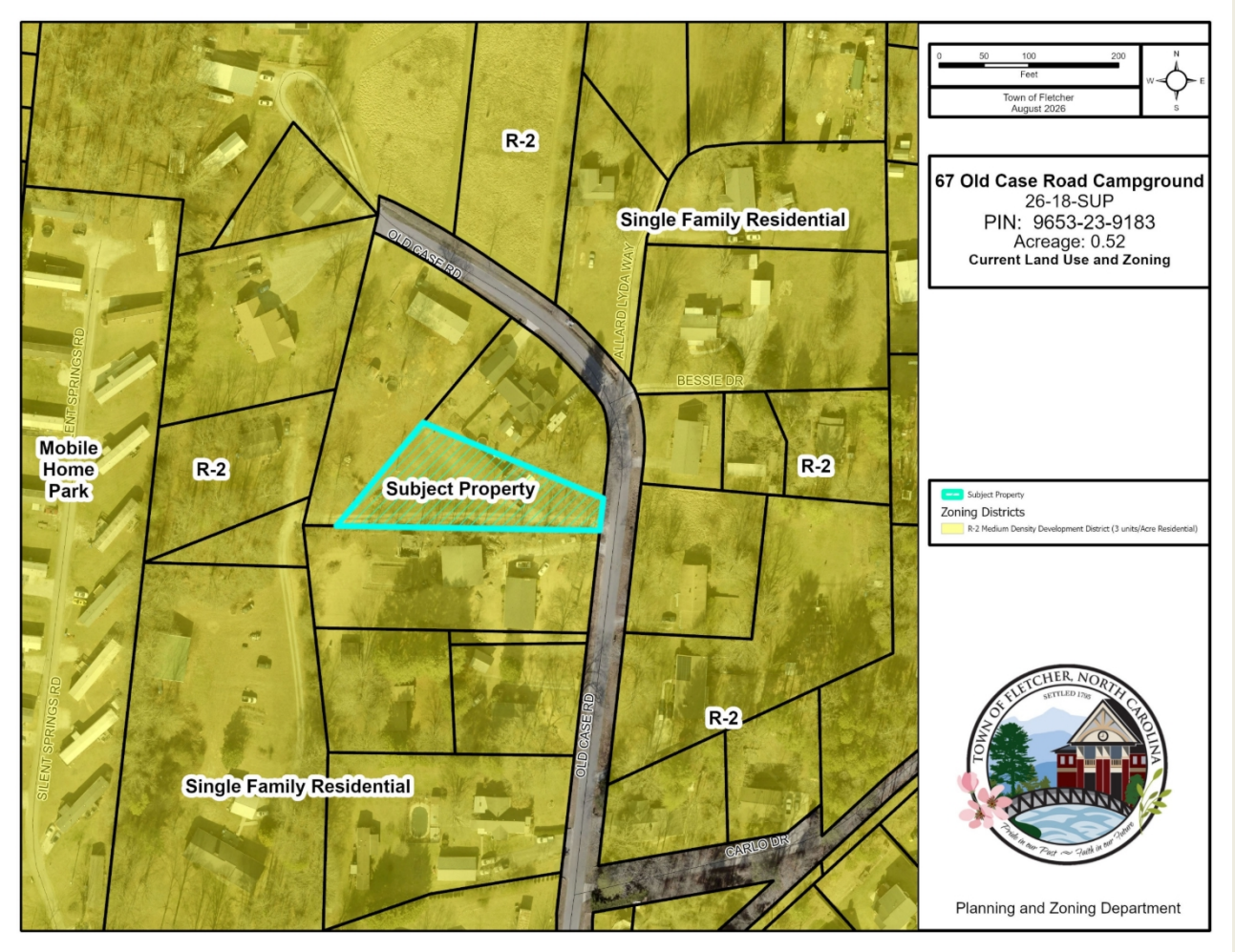
1. A complete application has been submitted in accordance with the requirements of the Town Code.

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.

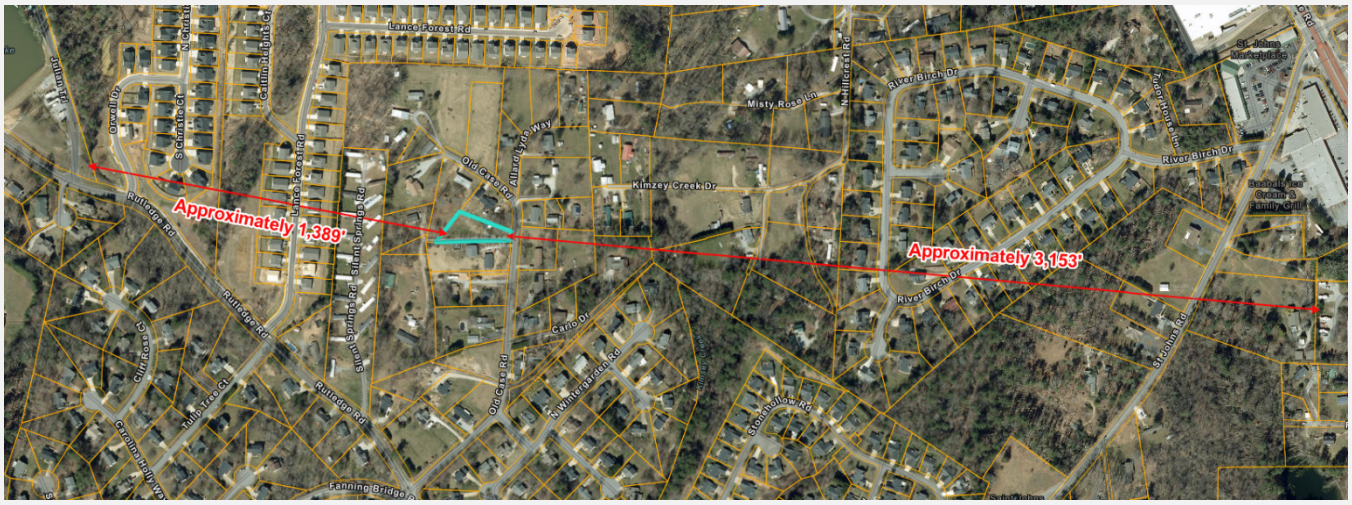
Supplemental Use Standards:

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