



# Planning and Development Department

156 CHURCH STREET, HENDERSON, NC 27536  
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## Staff Report July 9, 2020

### Vance County Board of Adjustment

Case# CUP04092020-1

**Owner:** William Michael  
Satterwhite

**Applicant:** William  
Michael Satterwhite

**Parcel ID:** 0495 01018

**Location:**  
2135 Dick smith Rd

**Current Zoning:** R30  
(Residential Low  
Density)

**Public Hearing:**  
07-9-2020

**Prepared by:**  
Angie Blount

### Request for a Conditional Use Permit

This request is for a Conditional Use Permit in order to establish a Family Cemetery within the WS-IV-Tar River Watershed area as required by the Vance County Zoning Ordinance, Table of Permitted Uses, Section 3.2.14 under Special Uses, Cemetery (Church, Family). This section states that a Family Cemetery may be established within the R30 zoning district, but requires a Conditional Use Permit if establishing within the Watershed Overlay Zone.

#### **Exhibits as follows:**

**Exhibit 1.** Application

**Exhibit 2.** Site plan, Aerial View

### Finding of Fact

1. The request is to establish a 30' x 30' Family Cemetery (900 sq. ft.), 20 plots, on the applicant's 19.05-acre property for the burial of family members.
2. The property is located at 2135 Dick Smith Rd and is Zoned R30.
3. The property is located within the WS-IV-Tar River Watershed Area.
4. The property was posted on 5/27/2020 and 6/23/20.
5. The adjoining properties were mailed notice on 5/27/2020 and 6/23/20.
6. The legal notice was advertised in the Henderson Dispatch on June 3, 2020 and July 1, 2020.

### Staff Comments

The request is for a Conditional Use Permit in order to establish a Family Cemetery on a 19.05-acre tract of land within the WS-IV-Tar River Watershed Area. The size of the cemetery is to be a 900 square feet, 30' x 30' square, and is to accommodate 20 burial plots. Burial plots are to be no closer than 30' to any property line, which is the only regulation for Family Cemeteries in the Vance County Zoning Ordinance. The applicant has shown 150' from any property line on the site plan. Environmental Health will have separate regulation once the applicant receives approval from Planning. The need for a CUP is due to the property lying within the Watershed Area. The tract is 19.05 acres, or 829,818 square feet. The total built upon area allowed within the watershed is 24%, anything over that percentage would require either a variance issued by the Watershed Review Board, or a SNIA (Special Non-Residential Intensity Allocation) issued by the Board of Commissioners. In this case, less than .02% impervious surface will be attributed to the cemetery. The applicant has stated that there is access to the cemetery area from a state maintained roadway, Dick Smith Road.

