

ATTACHMENT C

STAFF ANALYSIS

STAFF PERSON:

Rebecca Ragsdale, Planning Manager

BOARD OF SUPERVISORS:

September 16, 2026

PROJECT:

SE-2026-00014

PARCEL ID:

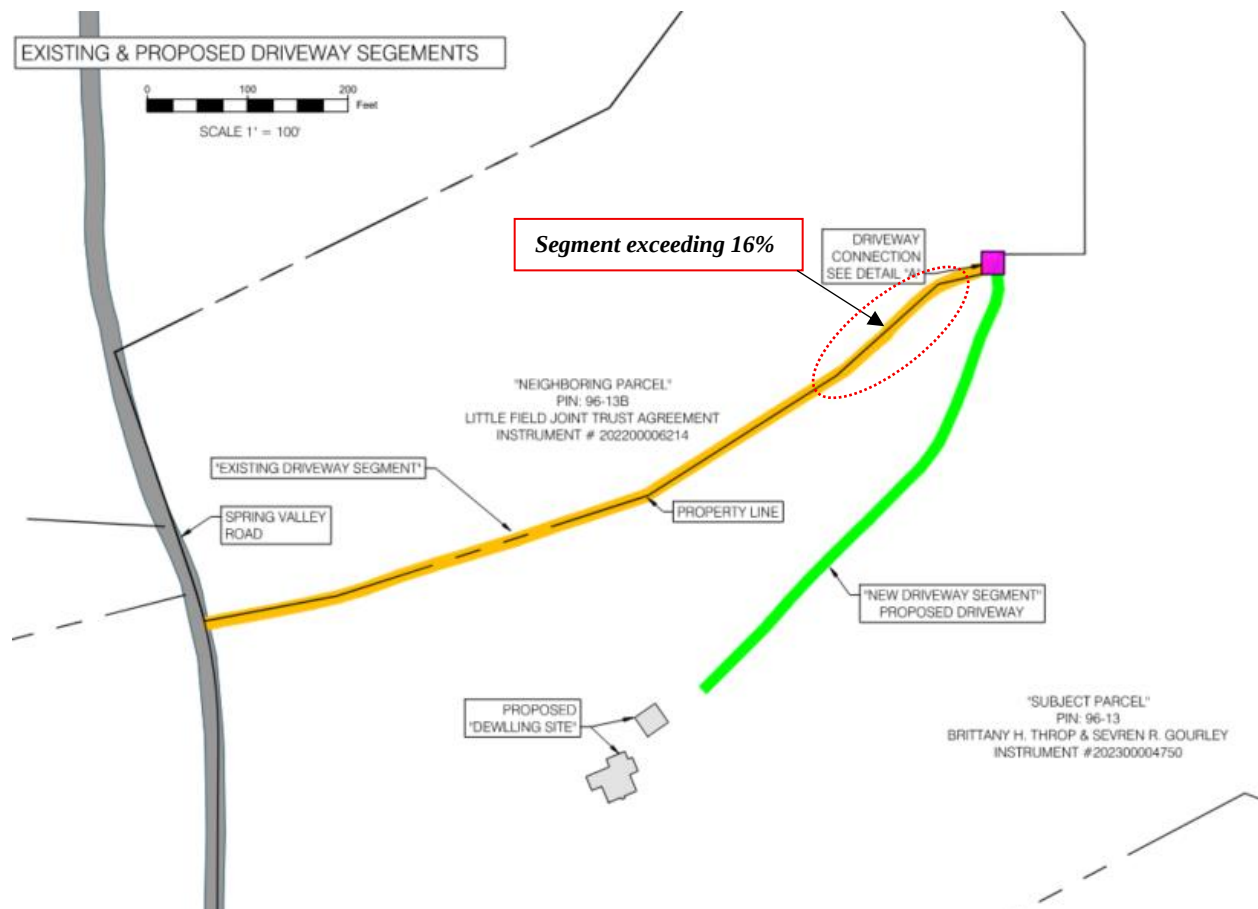
Gourley-Thorp Driveway Special Exception
09600000001300

PROPOSAL

The applicant is requesting a special exception to modify lot access standards of County Code §18-4.6.6(b)(1), which specify a driveway shall not exceed 16 percent grade.

The applicant has proposed to use the existing shared driveway, which serves as a shared access to two lots, and extend a new segment, for construction of a new single family dwelling (BLDR-2026-00033).

The request is related to only an approximately 215 linear foot portion of the existing driveway with grades that exceed the 16% as shown below. The details of the applicant's request are found in Attachment A.



BACKGROUND

The subject parcel is a portion of a lot that was initially created (TMP 96-13) with a plat approved by the County on May 6, 1998 (DB 1720 PG 642). Subsequently, a house was constructed in 2001, with a gravel drive to provide access.

The provisions of County Code §18-4.6.6 sections b and c were added to the zoning ordinance on February 6, 2008.

After adoption of these regulations, a plat was approved by the County on November 17, 2014 to create a new 8.549 acre lot (TMP 96-13B) from TMP 96-13. With that plat, a 30' access easement for a shared driveway was created on the existing gravel drive to serve both the existing house and the newly created lot. The new lot and proposed house are subject to the provisions of County Code §18-4.6.6, including the existing driveway.

There is a pending building permit (BLDR-2026-00033) to build a house on (TMP 96-13B).

CHARACTER THE AREA

The subject property is approximately 69.3 acres and is wooded with some previous logging roads, located between Spring Valley Road and Moses Mountain. The majority of the site is in critical slopes. The current access to the lot is a shared driveway from Spring Valley Road. An existing driveway runs parallel to a perennial stream. No stream buffers are located within the new driveway or homesite area. (See Location Attachment B)

ANALYSIS OF SPECIAL EXCEPTION REQUEST

County Code § 18-4.6.6 requires:

Vehicular access on a lot shall be provided as follows:

- a. In all zoning districts, a structure requiring a permit under the Uniform Statewide Building Code may be established only on a lot having frontage on a public or private street as authorized by the subdivision ordinance, except that this requirement shall not apply to lots lacking such frontage on the effective date of this chapter.
- b. In the rural areas zoning district, in addition to the requirements in subsection (a) and in order to provide public safety vehicles with safe and reasonable access to a new dwelling unit on a lot, each driveway that will serve a new dwelling unit: (1) shall not exceed a 16 percent grade; (2) shall have a travelway that is at least ten feet in width; (3) shall extend to within 50 feet of each dwelling unit on the lot; and (4) shall include a rectangular zone superjacent to the driveway that is clear of all obstructions, including any structures and vegetation, that is at least ten feet in width and 14 feet in height. The landowner shall demonstrate to the satisfaction of the county engineer that the driveway will meet the requirements of this subsection before a building permit is issued.

County Code § 18-4.6.6(c) allows for a waiver as indicated below. The special exception request is specific to the approximate 215' section of existing driveway that exceeds 16%, with an average 19% grade and 22% at one steepest point as depicted on the applicant's exhibit.

Staff has included the applicable criteria and code sections, followed by staff comment.

- c. Notwithstanding the requirements of subsection (b), the county engineer, with the recommendation of the fire marshal, may authorize a driveway having a grade that exceeds 16 percent if the landowner demonstrates to the satisfaction of the county engineer and the fire marshal that public safety vehicles would be able to access the dwelling unit even though the grade may exceed 16 percent. In considering a waiver request, the Board of Supervisors shall consider:

(1) the length of the segment of the driveway that would exceed 16 percent;

Staff comment: The total length of the existing driveway is 846' according to the 2014 plat. Approximately 215 linear feet of the existing shared driveway exceeds 16%. This is an existing condition. The remainder of the existing driveway, and new driveway segment will meet 16% grade or less.

(2) whether the segment that would exceed 16 percent would require the public safety vehicle to travel uphill towards the dwelling unit;

Staff comment: The segment that exceeds 16 percent requires vehicles to travel uphill. The Fire Marshal has reviewed this request and visited the site. The Fire Marshal does not object to the request and did not identify any issues with the ability to provide service to the site.

(3) whether fire suppression equipment such as sprinklers would be installed within the dwelling unit; and

Staff comment: The Fire Marshal did not indicate the need to require a sprinkler system for this request.

(4) whether the dwelling unit is within 50 feet of a public or private street.

Staff comment: The proposed dwelling unit would not be located within 50 feet of a public road. However, the dwelling will be located within 50 feet of the new driveway segment to the house site, meet provisions of Section 4.6.6.

In authorizing such a grade, the Board of Supervisors may impose reasonable conditions to assure that the public safety vehicles may access the dwelling unit including, but not limited to, a condition limiting the maximum length any segment of the driveway may exceed 16 percent.

Staff comment: Staff recommends a condition that the special exception is limited only to the 215' segment of the existing driveway as depicted on the applicant's exhibits.

RECOMMENDATION:

Staff recommends approval of this special exception. The County Engineer has offered no objection because the proposed driveway layout will minimize cumulative disturbance by utilizing existing roads. Alternatives would require significant new clearing and grading and may still fail to achieve 16% maximum slope. The Fire Marshal has not identified any safety concerns with this request.