

RESOLUTION OF PLANNING BOARD RECOMMENDATION TO THE BUNCOMBE COUNTY BOARD  
OF COMMISSIONERS ON APPLICATION FOR PROPOSED ZONING MAP AMENDMENT

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WHEREAS, the Zoning Administrator for Buncombe County has received an application from Jack Ohlhaber requesting an amendment to The Official Zoning Map of Buncombe County on a portion of the parcel identified as follows and as shown herein as "Figure A":

PIN 9635-22-7407 (located at the intersection of Brevard Road and French Broad Overlook), which is currently zoned Single Family Residential District R-1. The Applicant is requesting that the zoning designation for the property be changed from Single Family Residential District R-1 to Commercial Service District (CS);

WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which this application was considered have been properly mailed to members of the Planning Board, the applicant(s), owner(s), and all adjoining property owners at least ten (10) days prior to the meeting; public notice of the meeting has been properly published in a newspaper having general circulation in the County; and notice of the public hearing concerning this zoning map amendment has been prominently posted as required;

WHEREAS, pursuant to N.C. Gen. Stat. §153A-344 and §78-719 of the Buncombe County Code of Ordinances, the Planning Board is charged with making a recommendation to the Board of Commissioners and to comment on whether the requested zoning change is consistent or inconsistent with the Comprehensive Land Use Plan and on whether the requested zoning change is reasonable and in the public interest; and

WHEREAS, the Planning Board has reviewed the application, has heard public comment, and consulted with planning staff, and, after careful review, has determined that it is in order to deny this application and make recommendation to the Board of Commissioners for Buncombe County that the application be denied.

Based on the facts as set forth above the Buncombe County Planning Board hereby finds and concludes as follows pertaining to the proposed amendment to the Zoning Map as set forth in the said application of Jack Ohlhaber:

1. said zoning change is inconsistent with the Buncombe County Comprehensive Land Use Plan and Updates because the Buncombe County Comprehensive Land Use Plan 2013 Update (Figure 20. Appropriate Development Types) highly suggests that moderate scale commercial uses not be located in areas of steep slopes, moderate and high slope stability hazard areas, or without reasonable proximity to public utilities, and suggests that said uses be located outside of flood hazard areas;

2. the subject property is not adjacent to property zoned for commercial uses; and
3. therefore said zoning change is neither reasonable nor in the public interest.

NOW, THEREFORE, BE IT RESOLVED that upon motion and second, the Buncombe County Planning Board hereby recommends as follows:

1. That the Board of Commissioners deny this application for a zoning change for a portion of PIN 9635-22-7407, as shown in Attachment A, from Single Family Residential District R-1 to Commercial Service District (CS).

Adopted by a vote of 8 to 0.

This the 19<sup>th</sup> day of May, 2014.

BUNCOMBE COUNTY PLANNING BOARD

By:   
Tom Alexander, Chairman

Consented to:

Planning Board Members:

Jim Young  
Bernie Kessel  
Joe Sechler  
Josh Holmes  
Bud Sales (absent)  
Tom Alexander  
Michelle Wood  
Greg Phillips  
Catherine Martin

  
Josh O'Conner, Zoning Administrator

Approved as to form:

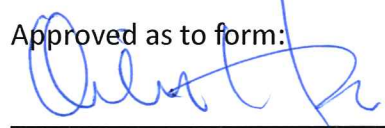
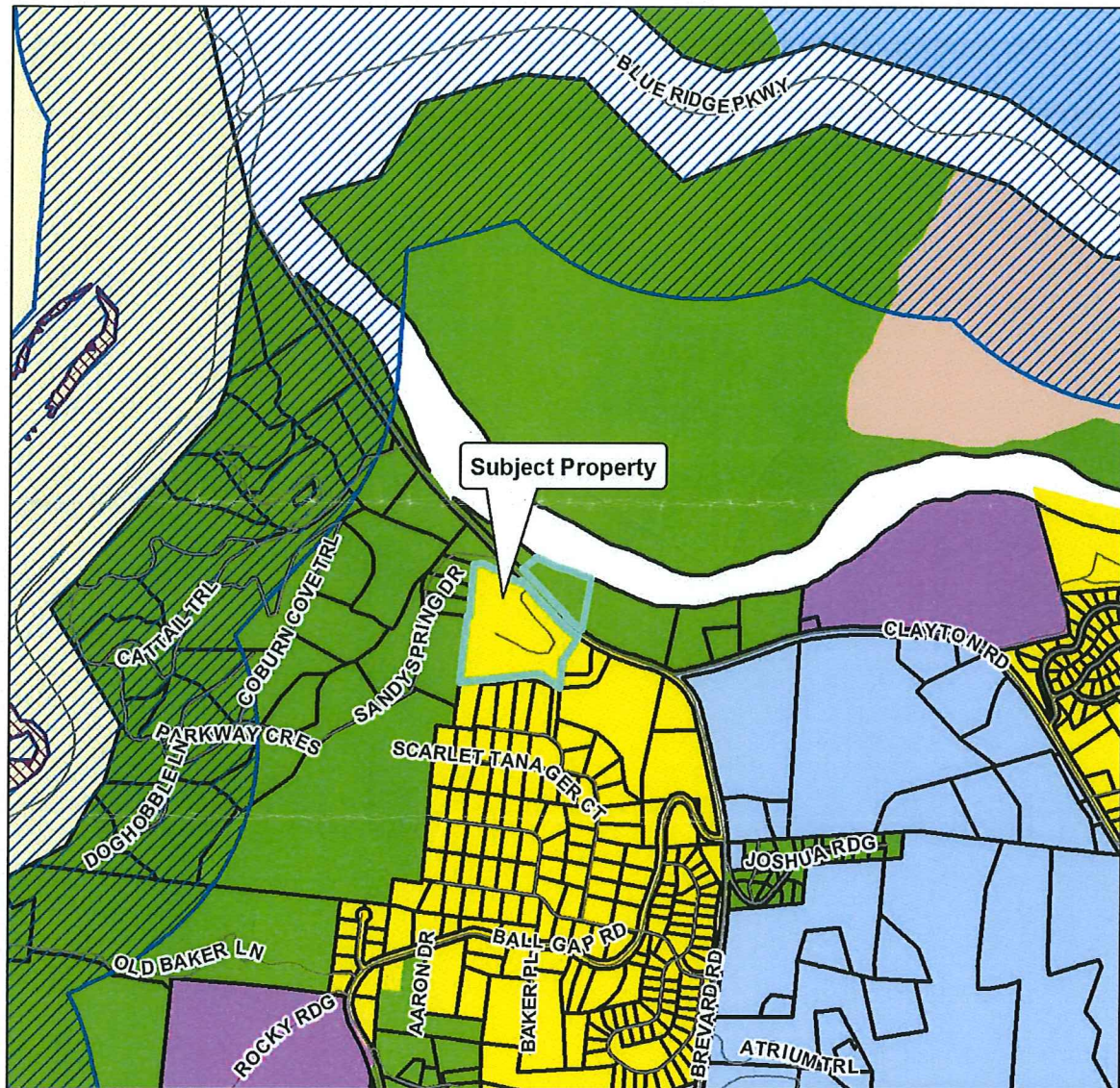
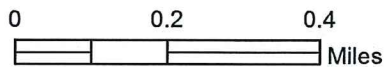
  
Michael C. Frue, Senior Staff Attorney

Figure A



## Jack Ohlhaber Map Amendment



Zoning Districts		Zoning Overlays	
BDM	PS	Blue Ridge Parkway Overlay	
CS	R-1	Protected Ridge Overlay	
EMP	R-2	Protected Ridge & Parkway	
NS	R-3	Steep Slope/High Elev.	
OU	R-LD	Steep Slope/High Elev. & Pkwy	

Case Number: ZPH2014-00027  
 Approximate Property Size: 14.86 acres  
 Application Date: April 11, 2014  
 Planning Board Hearing Date: May 19, 2014



Created By: Buncombe County Planning  
 Date: April 14, 2014