

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

WHEREAS, the Zoning Administrator for Buncombe County has received an application from Maria Bips and Ken Yount requesting an amendment to The Official Zoning Map of Buncombe County on the parcels identified as follows and being all the parcels indicated in blue and red hatched areas as shown in Figure A attached:

Tax lot PINs 9752-54-7024 (North of 29 Bonnie Brae Drive); 9752-53-7816 (29 Bonnie Brae Drive); 9752-55-1568 (12 Parker Cove Road); 9752-55-1341 (8 Parker Cove Road); 9752-55-4636 (10 Parker Cove Road); 9752-54-7491 (45 Bonnie Brae Dr); 9752-54-5231 (20 Bonnie Brae Dr); 9752-53-4940 (19 Bonnie Brae Dr); 9752-54-8803 (51 Bonnie Brae Dr); 9752-54-5582 (South of 48 Bonnie Brae Dr); 9752-54-8203 (37 Bonnie Brae Dr); 9752-54-1194 (8 Bonnie Brae Dr); 9752-53-2809 (15 Bonnie Brae Dr); 9752-54-6838 (48 Bonnie Brae Dr); 9752-44-6458 (37 Parker Cove Rd); 9752-54-2458 (West of 34 Philly Run); 9752-54-2711 (Northwest of 34 Philly Run); 9752-52-3878 (124 Parker Cove Rd); 9752-52-2454 (125 Parker Cove Rd); 9752-52-4686 (East of 126 Parker Cove Rd); 9752-54-1970 (East of 11 Philly Run); 9752-42-6803 (101 Parker Cove Rd); 9752-42-8772 (103 Parker Cove Rd); 9752-52-3773 (126 Parker Cove Rd); 9752-44-9506 (44 Parker Cove Rd); 9752-43-8772 (83 Parker Cove Rd); 9752-43-8258 (99 Parker Cove Rd); 9752-44-2415 (21 Parker Cove Rd); 9752-52-1625 (131 Parker Cove Rd); 9752-54-4704 (West of 48 Bonnie Brae Dr); 9752-53-4158 (North of 124 Parker Cove Rd); 9752-43-8929 (69 Parker Cove Rd); 9752-53-4579 (98 Parker Cove Rd); 9752-52-5513 (128 Parker Cove Rd); 9752-44-7277 (63 Parker Cove Rd); 9752-52-6943 (3 Pathwood Ln); 9752-52-6612 (15 Pathwood Ln); 9752-52-6728 (9 Pathwood Ln); 9752-45-7095 (10 Philly Run); 9752-44-6884 (6 Philly Run); 9752-45-9111 (14 Philly Run); 9752-54-3498 (34 Philly Run); 9752-55-3131 (22 Philly Run); 9752-55-1110 (18 Philly Run); 9752-54-3997 (26 Philly Run); and 9752-44-9876 (15 Philly Run).

The Applicants are requesting that the zoning designation for these parcels be changed from the Residential District R-3 to Single Family Residential District R-1;

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 Buncombe County Comprehensive Land Use Plan and Updates 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 for the following parcels be denied:

Tax lot PINs 9752-54-7024 (North of 29 Bonnie Brae Drive); 9752-53-7816 (29 Bonnie Brae Drive); 9752-55-1568 (12 Parker Cove Road); 9752-55-1341 (8 Parker Cove Road); and 9752-55-4636 (10 Parker Cove Road).

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 Maria Bips and Ken Yount:

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 multi-family residential uses be located in reasonable proximity to infrastructure (public sewer is available nearby as is public water from the Town of Weaverville along Reems Creek Road) and within reasonable proximity to major transportation corridors (Reems Creek Road is a major road in the area), whereas the 2013 Update only suggests, as opposed to highly suggests, that these factors are present for single family development;
2. the properties to the North are not part of the existing single-family development;
3. the owner of the properties to the Southeast does not wish to pursue the application for rezoning made by others; and
4. 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 the following tax lot PINs:

9752-54-7024 (North of 29 Bonnie Brae Drive); 9752-53-7816 (29 Bonnie Brae Drive); 9752-55-1568 (12 Parker Cove Road); 9752-55-1341 (8 Parker Cove Road); and 9752-55-4636 (10 Parker Cove Road),

as shown in the red hatched area of Figure A, and as labeled "Planning Board recommended Denial," to Single Family Residential District R-1.

Adopted by a vote of 5 to 1.

This the 20th day of October, 2014.

BUNCOMBE COUNTY PLANNING BOARD

By: 

Tom Alexander, Chair

Consented to:

Planning Board Members:

Jim Young

Bernie Kessel

Joe Sechler (absent)

Josh Holmes

Bud Sales (absent)

Tom Alexander

Michelle Wood

Greg Phillips

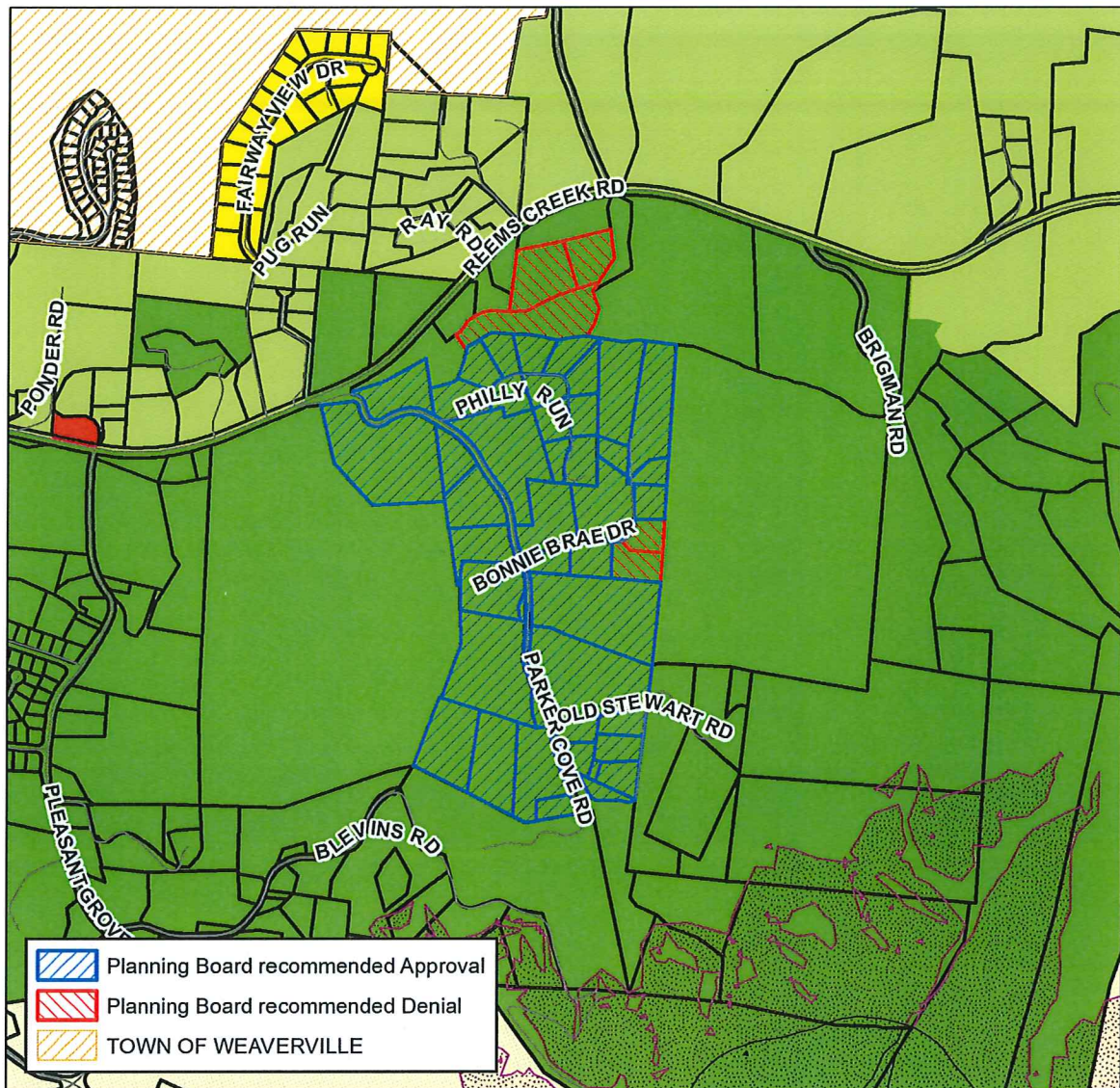
Catherine Martin (absent)


Josh O'Conner, Zoning Administrator

Approved as to form:


Michael C. Frue, Senior Staff Attorney

Figure A



Maria Bips & Ken Yount Map Amendment

0 0.15 0.3
Miles



Case Number: ZPH2014-00057
Approximate Property Size: 89.39 acres
Application Date: September 19, 2014
Planning Board Hearing Date: October 20, 2014

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

Created By: Buncombe County Planning
Date: October 28, 2014