

BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS

CASE NUMBER : ZPH2014-00061
 PROPOSED ZONING CHANGE : R-2 to R-1
 LOCATION : 6 SHUFORD ROAD
 PIN : 9742.78.4563

APPLICANT/OWNER: JANICE D. RUBINO
 726 INGLESIDE AVENUE
 TALLAHASSEE, FL 32303

DEPARTMENT RECOMMENDATION: **APPROVAL**

BOARD CONSIDERATIONS: The Board must determine if there is a reasonable basis for the requested change. An applicant's showing of reasonableness must address the totality of the circumstances and must demonstrate that the change is reasonable in light of its effect on all involved. Good Neighbors of South Davidson v. Town of Denton, 355 N.C. 254, 559 S.E.2d 768 (2002). Determination must be, the "product of a complex of factors." Chrismon v. Guilford County, 322 N.C. 611, 370 S.E.2d 579 (1988). Among the factors relevant to this analysis are the size of the tract in question; the compatibility of the disputed zoning action with an existing comprehensive zoning plan; the benefits and detriments resulting from the zoning action for the owner of the newly zoned property, his neighbors, and the surrounding community; and the relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts. Id.

REZONING ANALYSIS: The applicant is requesting the rezoning from R-2 (Residential District) to R-1 (Single Family Residential District). The subject property is located near the intersection of Hamburg Mountain Road and Shuford Road. The property currently contains a single family home. The surrounding area consists of undeveloped property and single family homes on large lots. Additionally, property to the North, across Hamburg Mountain Road, is zoned R-1

The proposed map amendment is consistent with the Buncombe County Land Use Plan as the Land Use Constraint maps within the Buncombe County Comprehensive Land Use Plan, 2013 Update show the following regarding the subject property:

- The property is not located within reasonable proximity to a transportation corridor
- A small portion of the property is greater than 25% slope
- The property is located outside of high elevations (2,500'+)
- The property is not located within reasonable proximity to infrastructure (combined water/sewer service area)
- The property does not contain areas of moderate and high slope stability hazards
- The property is located outside of flood hazard areas
- The property is adjacent to existing lower-density residential uses

The proposed R-1 zoning would not be detrimental to the owners, adjacent neighbors, and surrounding community as it is consistent with the surrounding properties and supported by the Buncombe County Land Use Plan, as outlined in the below consistency statement. Therefore the Buncombe County Department of Planning and Development recommends **APPROVAL** of the request.

LAND USE PLAN CONSISTENCY STATEMENTS

APPROVAL: The proposed map amendment is **consistent with the Buncombe County Land Use Plan** as Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan, 2013 Update recommends the following in regard to the constraints mapped within the Land Use Plan Maps:

- The property is not within reasonable proximity to a transportation corridor, which is highly suggested for multi-family development but only suggested for single family development
- The property is not located within reasonable proximity to infrastructure (combined water/sewer service area), which is highly suggested for multi-family development but only suggested for single family development
- The property is not separated from low-density residential uses, which is suggested for multi-family development

The property is also across the street from property zoned R-1 and is utilized as a single family residence. Therefore, the requested zoning would be **reasonable and in the public interest**.

DENIAL: The proposed map amendment is **consistent with the Buncombe County Land Use Plan** as Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan, 2013 Update recommends the following in regard to the constraints mapped within the Land Use Plan Maps:

- The property is not within reasonable proximity to a transportation corridor, which is highly suggested for multi-family development but only suggested for single family development
- The property is not located within reasonable proximity to infrastructure (combined water/sewer service area), which is highly suggested for multi-family development but only suggested for single family development
- The property is not separated from low-density residential uses, which is suggested for multi-family development

The property is in a development zoned R-2 and is located on a larger tract that might therefore be suited for multi-family development in the future. Therefore, the requested zoning would be **neither reasonable nor in the public interest**.