

RESOLUTION NO. _____

RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING A PROPOSED ORDINANCE AMENDING CHAPTER 78, ARTICLE VI OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE ZONING ORDINANCE OF BUNCOMBE COUNTY

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-341, prior to adopting or rejecting a zoning amendment, the governing board is required to adopt a statement as to whether the amendment is consistent with the comprehensive zoning plan and explaining why the board considers the action taken to be reasonable and in the public interest;

WHEREAS, on December 1, 2009, the Buncombe County Commissioners enacted Buncombe County Ordinance No. 09-12-01 which established a comprehensive zoning plan for the properties located in Buncombe County outside of the boundaries of incorporated municipalities and their zoning jurisdictions;

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-323, the County may amend its zoning ordinance after giving proper public notice and holding a public hearing;

WHEREAS, the Planning Board has received an application for an amendment to the Official Zoning Map of Buncombe County, North Carolina ("Official Zoning Map") to rezone the parcel identified as follows and shown herein as "Figure A":

tax lot PIN 9698-87-5226 (393 Lytle Cove Road), which is currently zoned Residential District R-2.

The Applicant is requesting that the zoning designation for the property be changed from the existing zoning designation to Low-Density Residential District R-LD;

WHEREAS, in accordance with the procedures set forth in the Buncombe County Zoning Ordinance, the Planning Board met to consider this proposed amendment and has recommended in a vote of 5-0 on December 1, 2014 that the proposed amendment is consistent with the Buncombe County Comprehensive Land Use Plan and updates thereto, and is reasonable and in the public interest, and further recommended that the Board of Commissioners adopt the proposed amendment; and

WHEREAS, this Board has reviewed and considered the above written recommendation of the Planning Board and has held a public hearing on the proposed amendment, and this Board desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the Buncombe County Comprehensive

Land Use Plan and updates and why the Board considers the proposed amendment to be reasonable and in the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. This Board finds that the adoption of the proposed amendment to the Official Zoning Map is consistent with the Buncombe County Land Use Plan and updates and is reasonable and in the public interest based upon the following:

- a. said zoning change is consistent 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 development be located within reasonable proximity to a transportation corridor and to public utilities (combined water and sewer) and outside of areas of moderate and high slope stability hazards, whereas these factors are not required for low-density residential development, and as this property is not located within reasonable proximity to a transportation corridor or infrastructure and does contain areas of moderate slope stability hazard, it is better suited for low-density residential than multi-family development; furthermore the property contains areas with greater than 25% slope and is not separated from existing low-density residential uses, which is suggested for multi-family development, but not single family development, also making this property better suited for low-density residential than multi-family development;
- b. the subject property is adjacent to property zoned Low-Density Residential District (R-LD) and is utilized as a single family residence; and
- c. Therefore, said zoning amendment is reasonable and in the public interest.

Read, approved and adopted this 6th day of January, 2015.

ATTEST

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE

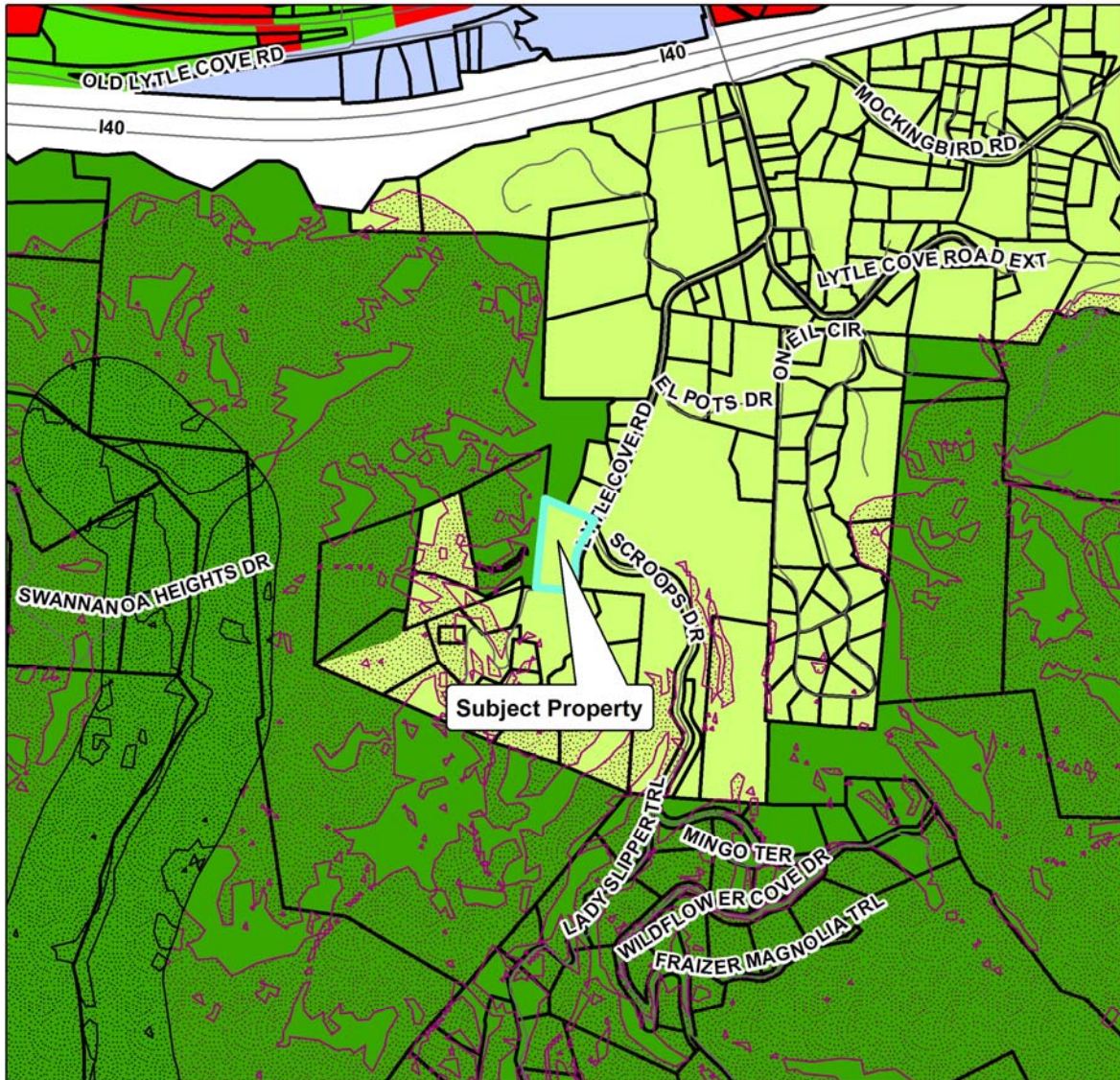
Kathy Hughes, Clerk

BY _____
David Gantt, Chairman

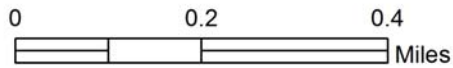
APPROVED AS TO FORM

County Attorney

Attachment A



**Bruce L. & Sheila L. Gasperson
Map Amendment**



Case Number: ZPH2014-00059
 Approximate Property Size: 2.62 acres
 Application Date: October 27, 2014
 Planning Board Hearing Date: December 1, 2014

Zoning Overlays	
	Blue Ridge Parkway Overlay
	Protected Ridge Overlay
	Protected Ridge & Parkway
	Steep Slope/High Elev.
	Steep Slope/High Elev. & Pkwy

Zoning Districts	
	BDM
	CS
	EMP
	NS
	OU
	PS
	CR
	R-1
	R-2
	R-3
	R-LD

Created By: Buncombe County Planning
 Date: November 3, 2014