

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 Mack Padgett requesting an amendment to The Official Zoning Map of Buncombe County on the parcels identified as follows and as shown in Figure A attached:

tax lot PIN 9699-11-2699 (2500 US 70 Hwy); and

tax lot PIN 9699-21-5507 (15 Avery Wood Dr).

The Applicant is requesting that the zoning designation for these parcels, which are adjacent to one another, be changed from Commercial Service District CS to Residential District R-3;

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 approve this application and make recommendation to the Board of Commissioners for Buncombe County that the application be approved.

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 Mack Padgett:

1. 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 commercial development be located outside of steep slope areas,

whereas the Update only suggests that residential development be located outside of steep slope areas;

2. the proposed zoning would decrease the allowed density and potential intensity of development on the property and eliminate retail sales with outside storage as a permitted use which can be an issue within flood hazard areas during a flood event; and
3. therefore said zoning change is reasonable and is 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 approve this application for a zoning change for tax lot PINs 9699-11-2699 (2500 US 70 Hwy) and 9699-21-5507 (15 Avery Wood Dr),

as shown in Figure A, to Residential District R-3.

Adopted by a vote of 5 to 0.

This the 16<sup>th</sup> day of February, 2015.

BUNCOMBE COUNTY PLANNING BOARD

By: 

Chair

Consented to:

Planning Board Members:

Jim Young

Bernie Kessel

Josh Holmes

Tom Alexander (absent)

Michelle Wood

Greg Phillips (absent)

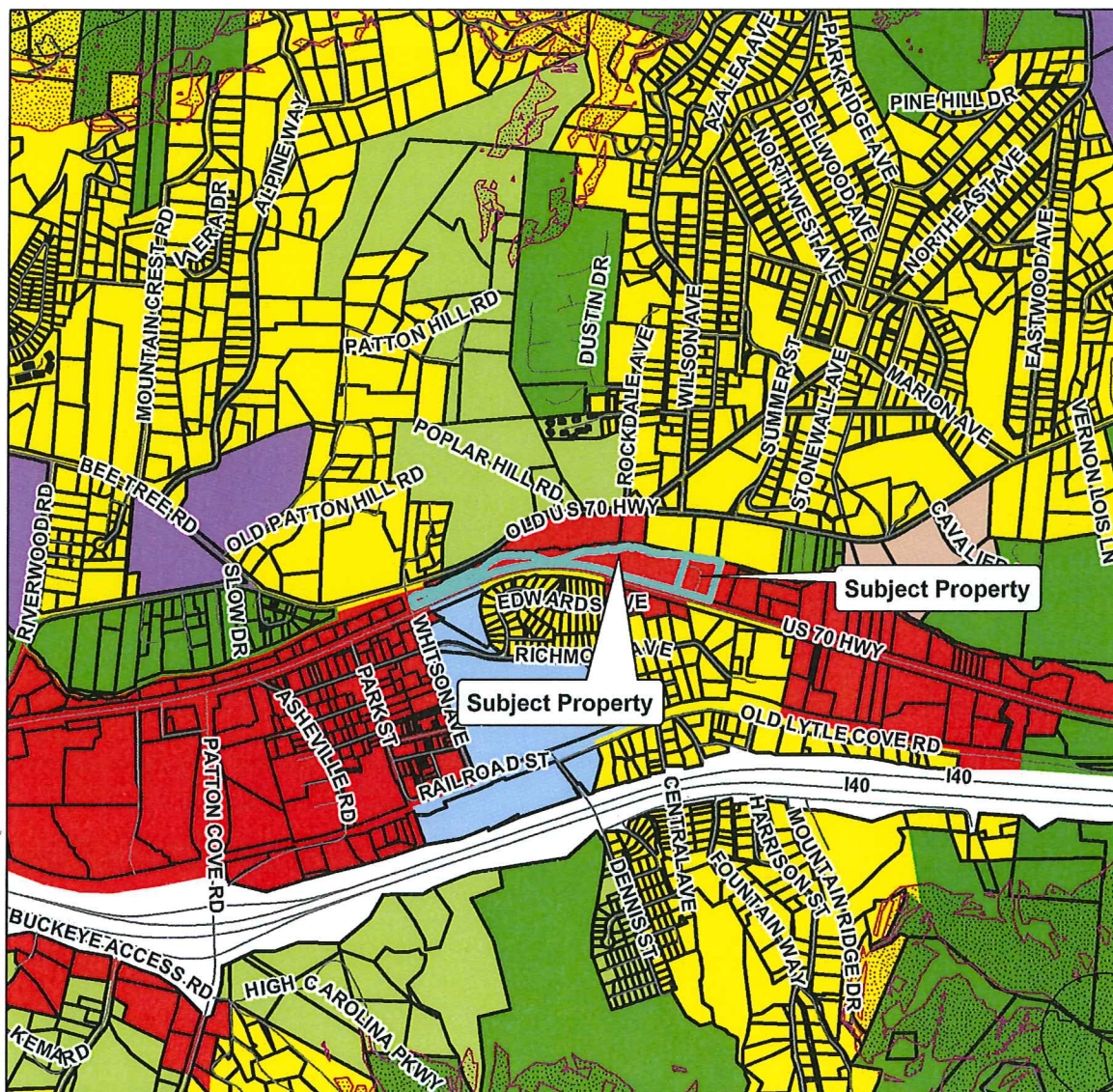
Catherine Martin

  
Josh O'Conner, Zoning Administrator

Approved as to form:

  
Michael C. Frue, Senior Staff Attorney

Figure A



## Mack Padgett Map Amendment

0 0.25 0.5  
Miles



Case Number: ZPH2015-00001  
Approximate Property Size: 8.0 acres  
Application Date: January 5, 2015  
Planning Board Hearing Date: February 16, 2015

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: January 26, 2015