

BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
REZONING ANALYSIS

CASE NUMBER : ZPH2014-00075  
 PROPOSED ZONING CHANGE : R-3 to R-1  
 LOCATION : Hope Road  
 PINs : See Agenda

APPLICANT: James A White  
 27 Hope Road  
 Weaverville, NC 28787

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 of 10 parcels from R-3 (Residential District) to R-1 (Single-Family Residential District). The subject property was previously within the Town of Weaverville's Extra Territorial Jurisdiction. The subject property makes up the homes within the Johnson Farm Subdivision. The properties currently contain single family homes.

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 within high elevations (2,500'+).
- The property is not within flood hazard areas.
- The property is comprised of lower-density residential uses.

As Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013 Update recommends that single family and low density residential uses allowed in the R-1 zoning district be located outside of the flood hazard area and not within high elevations. Additionally, the lots currently contain low density residential uses. Therefore the proposed map amendment could be appropriate. The proposed map amendment would also not be detrimental to the owners, adjacent neighbors, and surrounding community as it is consistent with the surrounding properties. Therefore the Buncombe County Department of Planning and Development recommends approval of the request.

## LAND USE PLAN CONSISTENCY STATEMENTS

**Consistent:** 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 within high elevations (2,500'+).
- The property is not within flood hazard areas.
- The property is comprised of lower-density residential uses.

As Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013 Update recommends that single family and low density residential uses allowed in the R-1 zoning district be located outside of the flood hazard area and not within high elevations. Additionally, the lots currently contain low density residential uses. Therefore the proposed map amendment could be appropriate. The proposed map amendment would also not be detrimental to the owners, adjacent neighbors, and surrounding community as it is consistent with the surrounding properties. Therefore, the requested zoning would be **reasonable and in the public interest**.

**Consistent (denial):** 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 within high elevations (2,500'+).
- The property is not within flood hazard areas.
- The property is comprised of lower-density residential uses.

As Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013 Update recommends that single family and low density residential uses allowed in the R-1 zoning district be located outside of the flood hazard area and outside flood hazard areas. Additionally, the lots currently contain low density residential uses. Therefore the proposed map amendment could be appropriate. However, the proposed zoning would be inconsistent with surrounding property zoned R-3. The proposed map amendment would also be detrimental to the owners, adjacent neighbors, and surrounding community as the proposed zoning is not consistent with the surrounding properties. Therefore, the requested zoning would **not be reasonable and in the public interest**.