

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 C. Daryl Rosenberger requesting an amendment to The Official Zoning Map of Buncombe County on the parcel identified as follows and as shown in Figure A attached:

An approximately 6.24 acre portion of tax lot PIN 9677-21-2223 (located at the Southeast corner of the intersection of Cedar Mountain Rd and Charlotte Hwy).

The Applicant is requesting that the zoning designation for the portion of the parcel be changed from Residential District R-LD to Neighborhood Service District NS;

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 be denied.

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 C. Daryl Rosenberger:

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 this type of development be located outside of moderate and high slope stability hazard areas, steep slope areas and high elevations, and further

suggests that neighborhood-scale commercial development be separated from low-density residential uses;

2. the subject property is not adjacent to property zoned Neighborhood Service District NS;
3. the map amendment as proposed would allow incompatible commercial uses within an existing low-density residential area; 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 an approximately 6.24 acre portion of tax lot PIN 9677-21-2223 (located at the Southeast corner of the intersection of Cedar Mountain Rd and Charlotte Hwy), as shown in Figure A, to Neighborhood Service District NS.

Adopted by a vote of 6 to 2.

This the 19th day of October, 2015.

BUNCOMBE COUNTY PLANNING BOARD

By: _____

Chair

Consented to:

Planning Board Members:

Nancy Waldrop

David Rittenberg

Thad B. Lewis (*absent*)

Dusty Pless

Joan M. Walker

Robert J. Martin

Gene Bell

Parker Sloan

Bob Taylor



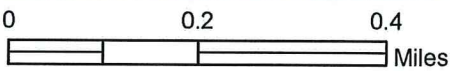
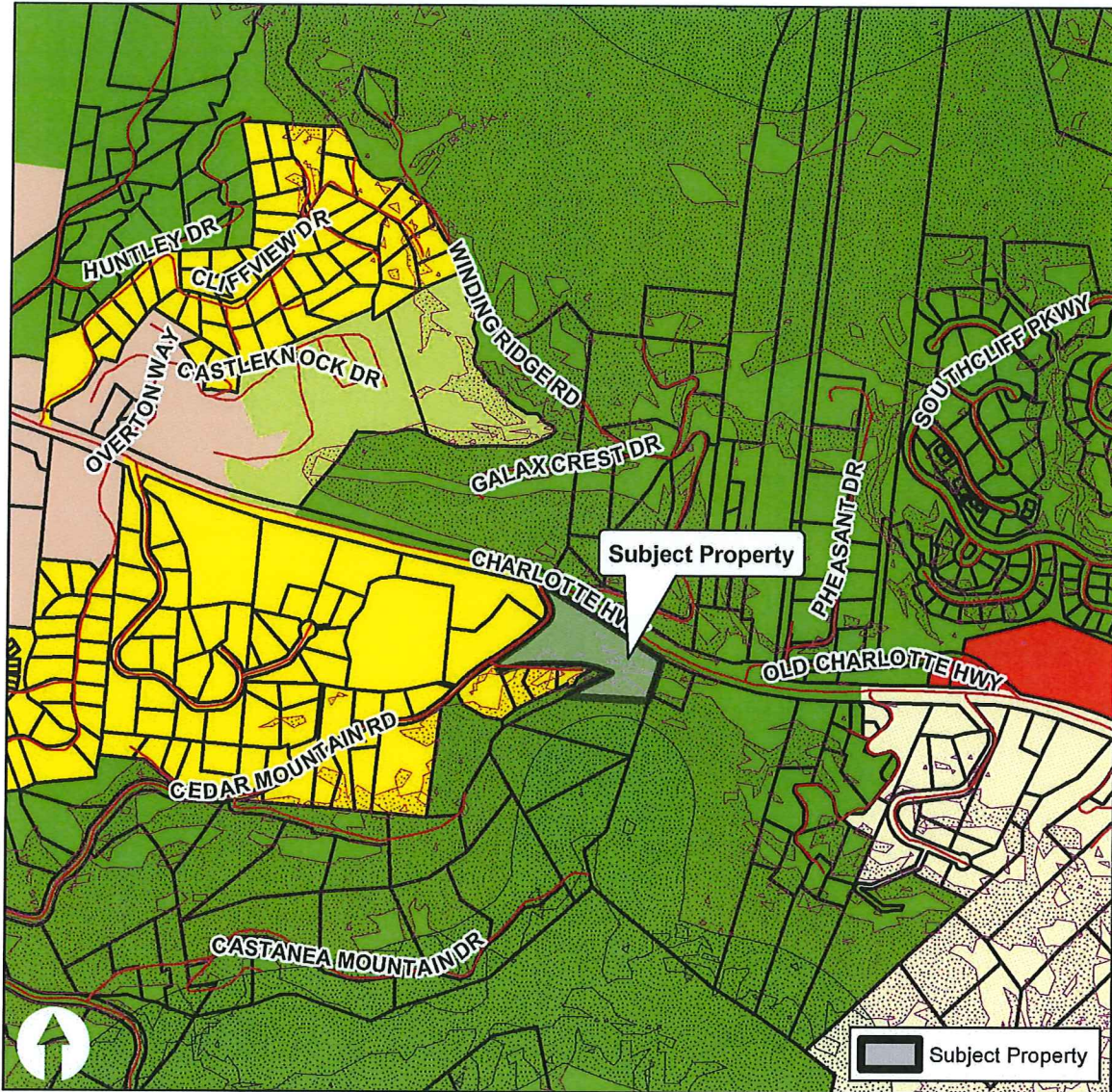
Debbie Truempy, Zoning Administrator

Approved as to form:



Michael Frue, Senior Staff Attorney

Figure A



**C. Daryl Rosenberger
Map Amendment**

Case Number: ZPH2015-00052
 Approximate Property Size: 6 .24 acres
 Application Date: September 18, 2015
 Planning Board Hearing Date: October 19, 2015
 Created By: Buncombe Co. Planning
 Date: September 30, 2015

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