

RESOLUTION OF PLANNING BOARD RECOMMENDATION TO THE BUNCOMBE COUNTY BOARD  
OF COMMISSIONERS ON A PROPOSED ZONING MAP AMENDMENT

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- WHEREAS, The General Assembly of North Carolina adopted Session Law 2014-26 amending NC Gen. Stat. Sec. 153A-342(d) to allow Buncombe County to zone unincorporated areas less than 640 acres and at least 10 separate tracts of land in separate ownership;
- WHEREAS, the Zoning Administrator of Buncombe County has proposed that the following properties and related rights-of-way shown on the enclosed map and located within the unincorporated areas of Buncombe County be zoned Single Family Residential District R-1:  
  
tax lot PIN 9645-63-7476 (located East of 34 Deerhaven Lane) and a portion of tax lot PIN 9645-62-2963 (located behind 331 Red Fox Circle);
- WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which this amendment was considered have been properly mailed to members of the Planning Board, 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 proposed zoning change is consistent or inconsistent with the Buncombe County Comprehensive Land Use Plan and Updates and on whether the proposed zoning change is reasonable and in the public interest; and
- WHEREAS, the Planning Board has reviewed the proposed map amendment, has heard public comment, and consulted with planning staff, and, after careful review, has determined that it is in order to approve this amendment and make recommendation to the Board of Commissioners for Buncombe County that the proposed amendment 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 above:

1. said zoning map amendment 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 single family/duplex development be located outside of flood hazard areas and that single family/duplex development

and lower-density residential development be located outside of moderate and high slope stability hazard areas. It further suggests that single family/duplex development be located within reasonable proximity to infrastructure (public utilities) and outside of steep slope areas and high elevation areas, and that separation of single family/duplex development from low-density residential uses is not necessary;

2. the subject property is a 3.01 acre lot that is used as a park by the surrounding neighborhood and owned by the Braeside Property Owners Association, and a very small portion of a vacant tract owned by the Biltmore Park Association. The subject property is surrounded by single family residences on moderately and larger sized lots. Established residential developments to the South, East, and North of the property within the City of Asheville are comprised of moderately-sized single family lots and are zoned RS-2 by the City. Residential lots to the West along Deerhaven Lane are developed at a lower density with lots of two acres or greater in size; these lots are zoned Single Family Residential District R-1 by Buncombe County, and were previously part of the City of Asheville's ETJ; 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 zoning map amendment for the following properties and related rights-of-way shown in Figure A and located within the unincorporated areas of Buncombe County to be zoned Single Family Residential District R-1:

Tax lot PIN 9645-63-7476 (located East of 34 Deerhaven Lane) and a portion of tax lot PIN 9645-62-2963 (located behind 331 Red Fox Circle).

Adopted by a vote of 8 to 0.

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

BUNCOMBE COUNTY PLANNING BOARD

By: Gene Bell  
Gene Bell, Chair

Consented to:

Planning Board Members:

Nancy Waldrop

David Rittenberg

Thad B. Lewis

Dusty Pless *ABSENT*

Joan M. Walker

Robert J. Martin

Gene Bell

Parker Sloan

Bob Taylor

  
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Debbie Truempy, Zoning Administrator

Approved as to form:  
  
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Michael Frue, Senior Staff Attorney

Figure A

