

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 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 property located within an unincorporated area of Buncombe County be zoned Residential District (R-2):

Portion of tax lot PIN 9740-28-9552 (441 Windsor Road);

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 above:

1. said zoning 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) suggests that single family/duplex development be located within reasonable proximity to major transportation corridors. It further suggests that single family/duplex development be located outside of moderate and high slope stability hazard areas;

2. The subject property consists of one residential lot (portion thereof) containing a large single family home. The property is surrounded to the south, west, and east by the City of Asheville, and by the Town of Woodfin along the north property line. Zoning the unincorporated portion of the lot will bring consistency to the surrounding neighborhood and eliminate a remaining unzoned property within Buncombe County; 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 property shown in Figure A and located within an unincorporated area of Buncombe County be zoned Residential District (R-2):

Portion of tax lot PIN 9740-28-9552 (441 Windsor Road).

Adopted by a vote of 9 to 0.

This the 15<sup>th</sup> day of February, 2016.

BUNCOMBE COUNTY PLANNING BOARD

By: \_\_\_\_\_

Chair

Consented to:

Planning Board Members:

Nancy Waldrop

David Rittenberg

Thad B. Lewis

Dusty Pless

Joan M. Walker

Robert J. Martin

Gene Bell

Parker Sloan

Bob Taylor

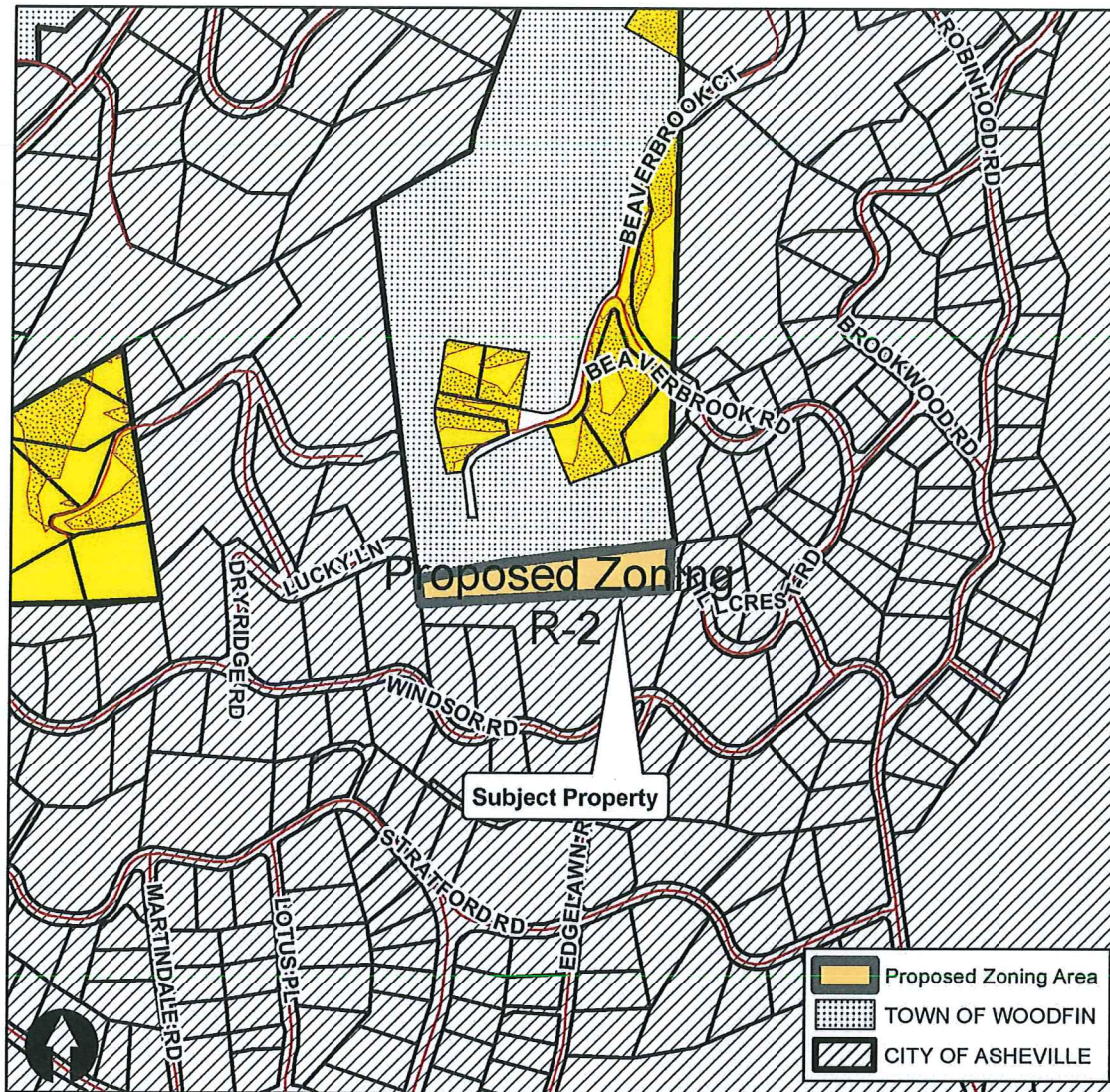
\_\_\_\_\_  
Debbie Truempy, Zoning Administrator

Approved as to form:

\_\_\_\_\_  
Michael Frue, Senior Staff Attorney



Figure A



0 0.1 0.2  
Miles

## John Cort Initial Zoning Application

Case Number: ZPH2016-00001

Approximate Property Size: 2.25 acres

Application Date: January 4, 2016

PB Hearing Date: February 15, 2016

Created By: Buncombe Co. Planning

Date: February 1, 2016

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		