

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 Troy Muse and Robbie Kirkpatrick requesting an amendment to The Official Zoning Map of Buncombe County on the parcel identified as follows and as shown in Figure A attached:

tax lot PIN # 9607-12-2859 (62 Old US 19/23 Highway);

The applicant is requesting that the zoning designation for this parcel 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 notices of the public hearing concerning this zoning map amendment have 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 changes are 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

That based upon the facts as set forth above and having reviewed the application, heard public comment, and consulted with planning staff, 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 Troy Muse and Robbie Kirkpatrick:

1. That said zoning change is **consistent** with the Buncombe County Comprehensive Land Use Plan and Updates because Figure 20. Appropriate Development Types identifies infill/higher density development as "suggested" within reasonable proximity to major transportation corridors and "highly suggested" within combined water/sewer service areas. The Plan "highly suggests" that infill/higher density development be located outside of steep slope areas (greater than 25%), outside of high elevations (greater than 2,500 feet) and outside of moderate and high hazard slope stability areas and FEMA flood hazard areas.
2. That the rezoning request is compatible with surrounding properties developed with manufactured home parks, adjacent to other R-3 zoned properties to the south, served by public water and sewer, and is readily accessed by an NCDOT maintained road and transportation corridor.

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 to tax lot PIN # 9607-12-2859 (62 Old US 19/23 Highway);

as shown in Figure A, from Commercial Service District (CS) to Residential District (R-3).

Adopted by a vote of 7 to 0.

This the 6th day of November, 2017.

BUNCOMBE COUNTY PLANNING BOARD

By: Nancy Waldrop
Chair

Consented to:

Planning Board Members:

Nancy Waldrop

David Rittenberg

Thad B. Lewis **ABSENT**

Dusty Pless

Joan M. Walker

Robert J. Martin

Gene Bell **ABSENT**

Parker Sloan

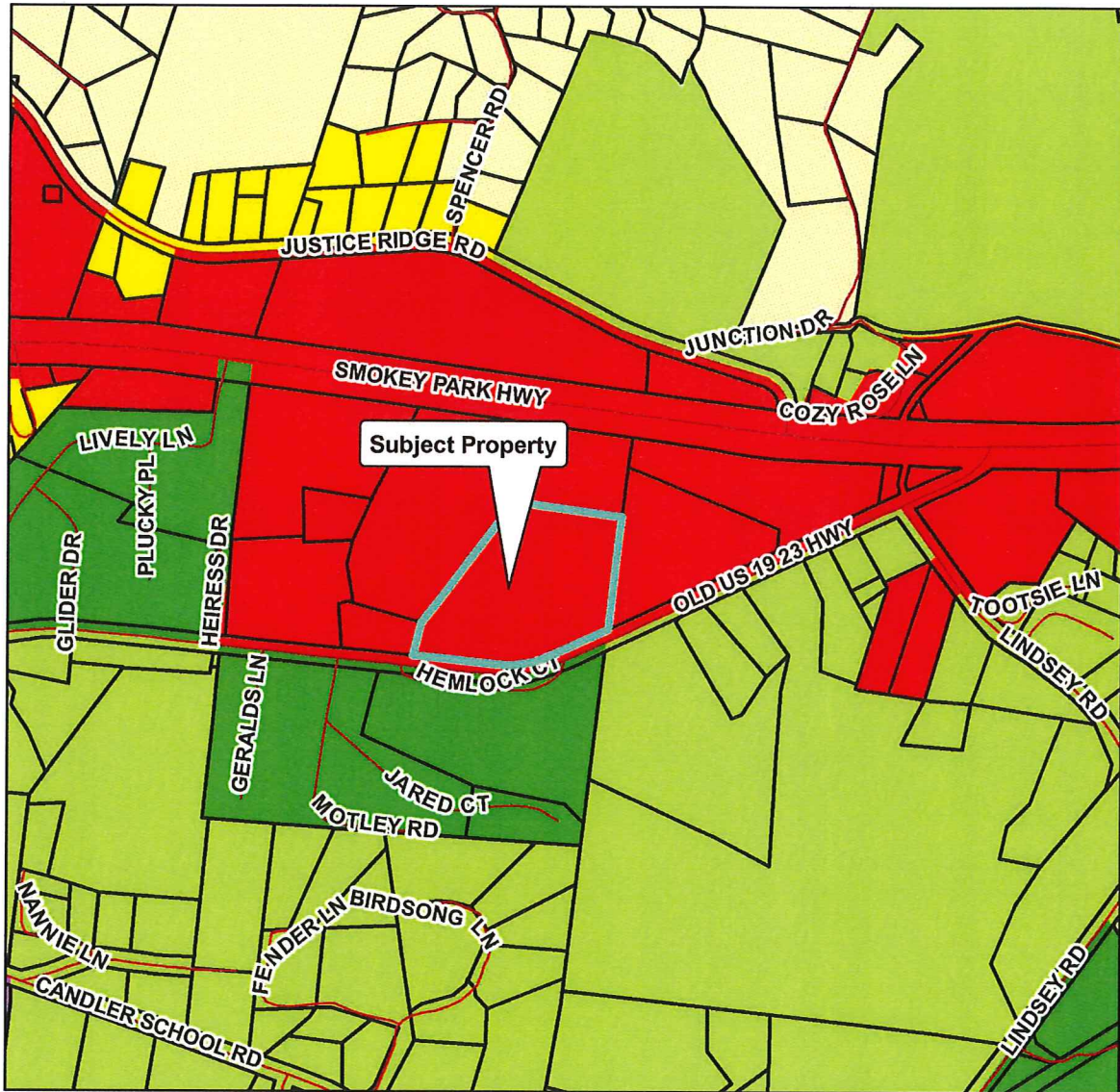
Billy Taylor

Debbie Truempy
Debbie Truempy, Zoning Administrator

Approved as to form:

J. Brandon Freeman
Michael Frue, Senior Staff Attorney
J. BRANDON FREEMAN

Figure A



0 0.075 0.15 0.3 Miles

Muse-Kirkpatrick Rezoning Application

Case Number: ZPH2017-00069
 PIN Number: 9607-12-2859
 Approximate Property Size: 5.97 acres
 Application Date: October 06, 2017
 PB Hearing Date: November 06, 2017

Created By: Buncombe Co. Planning
 Date: 10/19/2017



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	