

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 Heath White 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 9635-14-5473 (1648 Brevard Road);

The applicant is requesting that the zoning designation of this parcel be changed from Low-Density Residential District (R-LD) to Commercial Service District (CS);

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 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

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 Heath White:

1. That said zoning change is **inconsistent** with the Buncombe County Comprehensive Land Use Plan and Updates because the 2013 Update (Figure 20. Appropriate Development Types) “highly suggests” that moderate commercial development be located outside of steep slope areas (greater than 25%) and outside of moderate and high hazard slope stability areas. The Update further “suggests” moderate commercial development be located outside of FEMA flood hazard areas;
2. That the rezoning request is incompatible with the surrounding rural area, is located entirely within a FEMA Flood Hazard Area (floodway), contains areas identified as steep slope (greater than 25%), contains moderate slope stability hazard areas, and represents the potential for a “spot zoning”;
3. Therefore said zoning change is not reasonable and not 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 to tax lot PIN 9635-14-5473 (1648 Brevard Road);

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

Adopted by a vote of 4 to 3.

This the 22nd day of January, 2018.

BUNCOMBE COUNTY PLANNING BOARD

By: _____

Chair

Consented to:

Planning Board Members:

Nancy Waldrop

David Rittenberg

Thad B. Lewis

Billy Taylor

Dusty Pless

Joan M. Walker

Robert J. Martin

Gene Bell

Parker Sloan



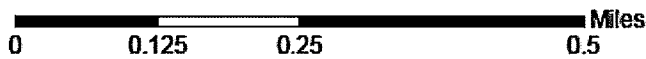
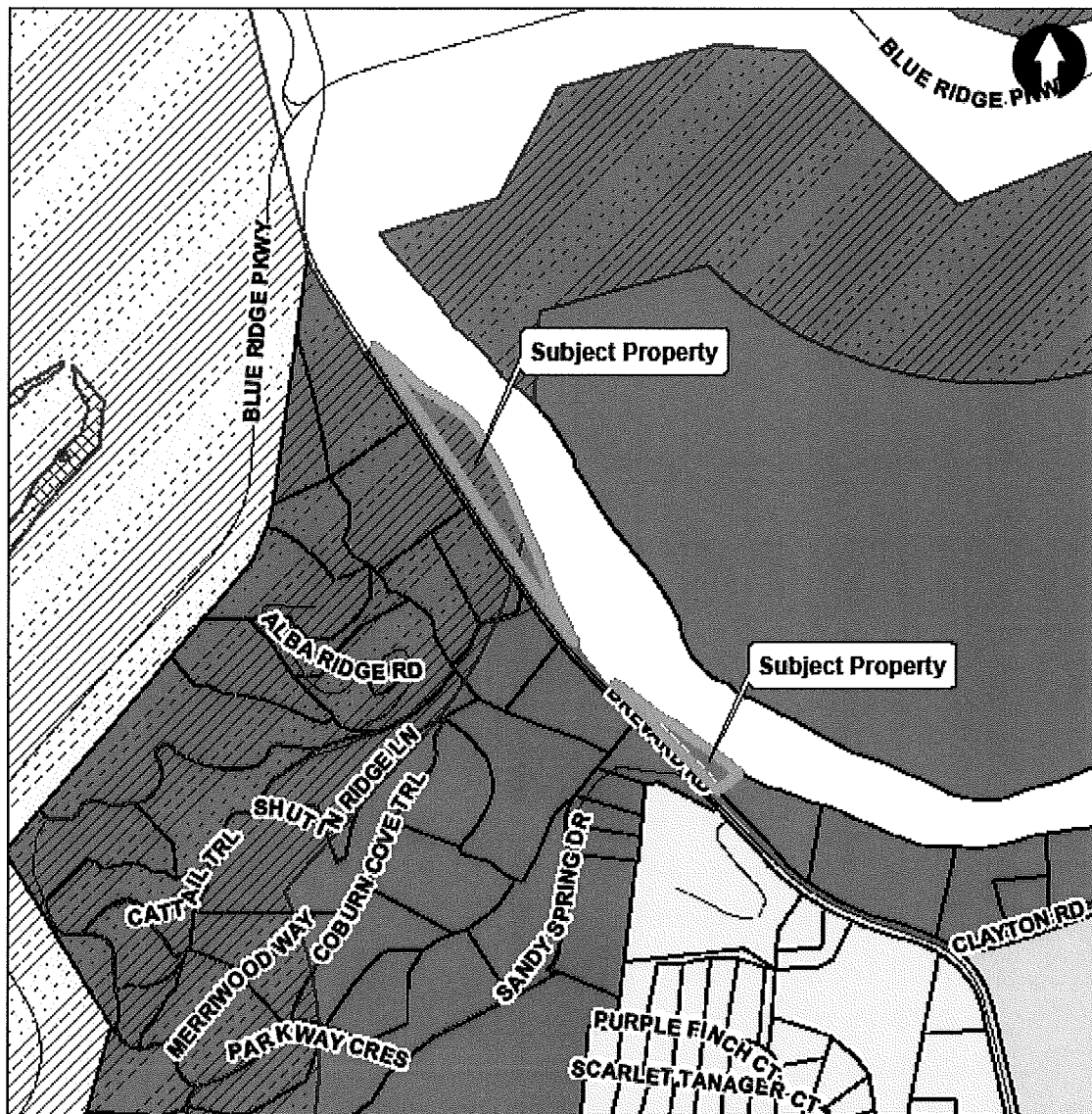
Debbie Fruempy, Zoning Administrator

Approved as to form:



Brandon Freeman, Staff Attorney

Figure A



**Zen Tubing
Map Amendment Application**

Case Number: ZPH2017-00089
 PIN Number: 9635-14-5473
 Approximate Property Size: 7 acres
 Application Date: December 22, 2017
 PB Hearing Date: January 22, 2018
 Created By: Buncombe Co. Planning
 Date: 1/2/2018

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		