

**BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS**

CASE NUMBER: ZPH2018-00014
 PROPOSED ZONING CHANGE: R-2 to R-3
 LOCATION: 258 Starnes Cove Rd.
 PIN: 9618-61-3808
 APPLICANT/OWNER: Ronald Hawkins

DEPARTMENT RECOMMENDATION: **APPROVAL**

BOARD CONSIDERATIONS: The Board must determine if there is a reasonable basis for the requested change. An applicant's showing of reasonableness must address the totality of the circumstances and must demonstrate that the change is reasonable in light of its effect on all involved. Good Neighbors of South Davidson v. Town of Denton, 355 N.C. 254, 559 S.E.2d 768 (2002). Determination must be, the “product of a complex of factors.” Chrismon v. Guilford County, 322 N.C. 611, 370 S.E.2d 579 (1988). Among the factors relevant to this analysis are the size of the tract in question; the compatibility of the disputed zoning action with an existing comprehensive zoning plan; the benefits and detriments resulting from the zoning action for the owner of the newly zoned property, his neighbors, and the surrounding community; and the relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts. Id.

REZONING ANALYSIS: The applicant is requesting the rezoning of one (1) parcel comprising approximately 1.78 acres located at 258 Starnes Cove Road which is currently zoned Residential District R-2 to Residential District R-3. The property is currently vacant and directly accessed by Starnes Cove Road. Properties to the north of the subject parcel contain a mix of site-built and manufactured homes zoned R-3. The property to the east is vacant and zoned R-2. Properties to the west and to the south, across Starnes Cove Road, are vacant or contain site-built homes and zoned R-2. The applicant is seeking to rezone the subject parcel to R-3 in order to allow the placement of a manufactured home.

The Land Use Constraint maps contained within the Buncombe County Comprehensive Land Use Plan 2013 Update illustrate the following conclusions regarding the subject property:

- The subject property is not located on an identified major transportation corridor, but is served by an NCDOT maintained road.
- The subject property is not located within the combined water/sewer service area.
- The subject property does not contain areas identified as steep slope (greater than 25%).
- The subject property is located outside of high elevations greater than 2500 feet.
- The subject property does not contain moderate or high slope stability hazard areas.
- The subject property is not located within a FEMA Flood Hazard Area.

Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013 Update identifies single-family development as “suggested” within reasonable proximity to major transportation corridors, within combined water/sewer service areas, outside of steep slope areas (greater than 25%), and outside of high elevations (greater than 2,500 feet). Further, the Plan Update “highly suggests” single-family development be located outside moderate and high slope stability hazards and outside flood hazard areas.

The proposed map amendment would not be detrimental to the owners, adjacent neighbors, and surrounding community as it meets a number of goals as identified in the Buncombe County

Comprehensive Land Use Plan Update. Therefore, the Buncombe County Department of Planning and Development recommends **approval** of the rezoning request as it is compatible with surrounding properties developed with manufactured homes, is adjacent to other R-3 zoned properties, is located outside of steep slopes, high elevations, moderate or high slope stability hazard areas, and FEMA Flood Hazard Areas.

LAND USE PLAN CONSISTENCY STATEMENTS

Consistent: The proposed map amendment is consistent with the Buncombe County Land Use Plan and the associated Land Use Constraint maps contained within the Buncombe County Comprehensive Land Use Plan 2013 Update. The following information is relevant to the subject property:

- The subject property does not contain areas identified as steep slope (greater than 25%).
- The subject property is located outside of high elevations greater than 2500 feet.
- The subject property does not contain moderate or high slope stability hazard areas.
- The subject property is not located within a FEMA Flood Hazard Area.

Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013 Update identifies single-family development as “suggested” outside of steep slope areas (greater than 25%) and outside of high elevations (greater than 2,500 feet). Further, the Plan Update “highly suggests” single-family development be located outside moderate and high slope stability hazards and outside flood hazard areas.

The proposed map amendment would not be detrimental to the owners, adjacent neighbors, and surrounding community as it meets a number of goals as identified in the Buncombe County Comprehensive Land Use Plan Update. Therefore, the requested zoning would be **reasonable and in the public interest** as it is compatible with surrounding properties developed with manufactured homes, is adjacent to other R-3 zoned properties, is located outside of steep slopes, high elevations, moderate or high slope stability hazard areas, and FEMA Flood Hazard Areas.

Inconsistent: The proposed map amendment is inconsistent with the Buncombe County Land Use Plan and the associated Land Use Constraint maps contained within the Buncombe County Comprehensive Land Use Plan 2013 Update. The following information is relevant to the subject property:

- The subject property is not located on an identified major transportation corridor.
- The subject property is not located within the combined water/sewer service area.

Figure 20. Appropriate Development Types of the Buncombe County Comprehensive Land Use Plan 2013 Update identifies single-family development as “suggested” within reasonable proximity to major transportation corridors and within combined water/sewer service areas. Therefore, the requested zoning would **not be reasonable and in the public interest**.