

BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS

CASE NUMBER	: ZPH2013-00020
PROPOSED ZONING CHANGE	: R-2 TO R-3
LOCATION	: 21 Antique Lane
PINs	: 9618.93.0359
ACREAGE	: 0.89 acres
APPLICANT/OWNER:	Teresa S. Beeman 118 Cherry Meadows Way Asheville, NC 28806

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 SUMMARY: The applicant requests rezoning of approximately 0.89 acre tract from R-2 (Residential District) to R-3 (Residential District). The subject property is located on Antique Lane, which is a small private road which connects with Cherokee Road. This property was formerly within the City of Asheville’s Extra Territorial Jurisdiction. The property is currently wooded and undeveloped. The surrounding area is comprised of other tracts of undeveloped land and residential development including single family home and manufactured homes. To the north and east of the subject property is property zoned R-3. Given the mix of housing types in the area and the adjacent R-3 district the requested zoning would be consistent with surrounding uses and the Buncombe County Comprehensive Land Use Plan as the Buncombe County Comprehensive Land Use Plan Update indicated that R-3 is suitable for higher density uses and manufactured homes (Buncombe County Comprehensive Land Use Plan, VII-3). The proposed R-3 zoning would be consistent with the surrounding area, which already contains manufactured homes. The requested zoning would not be detrimental to the owner, adjacent neighbors, and surrounding community. Therefore the Buncombe County Department of Planning and Development recommends **APPROVAL** of the request.

LAND USE PLAN COMPLIANCE STATEMENTS

CONSISTENT: The requested map amendment would be consistent with the Buncombe County Comprehensive Land Use Plan as the Buncombe County Comprehensive Land Use Plan Update indicated that R-3 is suitable for manufactured homes (Buncombe County Comprehensive Land Use Plan, VII-3). The requested zoning would be reasonable and in the interest of the public as the surrounding area includes manufactured homes.

NOT CONSISTENT: The requested map amendment would not be consistent with the Buncombe County Comprehensive Land Use Plan as the Buncombe County Comprehensive Land Use Plan Update indicated that R-3 is suitable for higher density uses and would allow manufactured home parks (Buncombe County Comprehensive Land Use Plan, VII-3). The requested zoning would not be reasonable and in the interest of the public as the property surrounding the subject property to the east and south is zoned R-2.