

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 Matthew R. King on behalf of Avery's Creek, LLC requesting an amendment to The Official Zoning Map of Buncombe County (ZPH2015-00023), and the Zoning Administrator has requested that a parcel contained within the boundaries of said proposed amendment be included along with the application, and the parcel is identified as follows and as shown herein as "Figure A":

PIN 9634-23-4768 (located within the Southeast portion of PIN 9634-14-6580), which is currently zoned Low-Density Residential District R-LD;

The Zoning Administrator is requesting that the zoning designation for the above parcel be considered concurrently with the application from Matthew R. King on behalf of Avery's Creek, LLC, who is requesting a change from the existing zoning designation of Low-Density Residential District R-LD to Residential District R-2;

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 in the request by the Buncombe County Zoning Administrator:

1. said zoning change 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) highly

suggests that multifamily residential development be located within reasonable proximity to infrastructure (combined water/sewer service area) and outside of high and moderate slope stability hazards (the majority of the property falls outside of these areas) and located outside of flood hazard areas, and further suggests that multifamily residential development be located outside of high elevations (2,500' +) and steep slope areas (25% +);

2. the rezoning of the subject property would not be detrimental to the owners, adjacent neighbors, and surrounding community; 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 application for a zoning change for tax lot PIN 9634-23-4768 (located within the Southeast portion of PIN 9634-14-6580), which is currently zoned Low-Density Residential District R-LD, as shown in Attachment A, to Residential District R-2.

Adopted by a vote of 9 to 0.

This the 1st day of June, 2015.

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

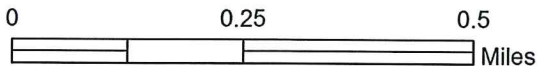
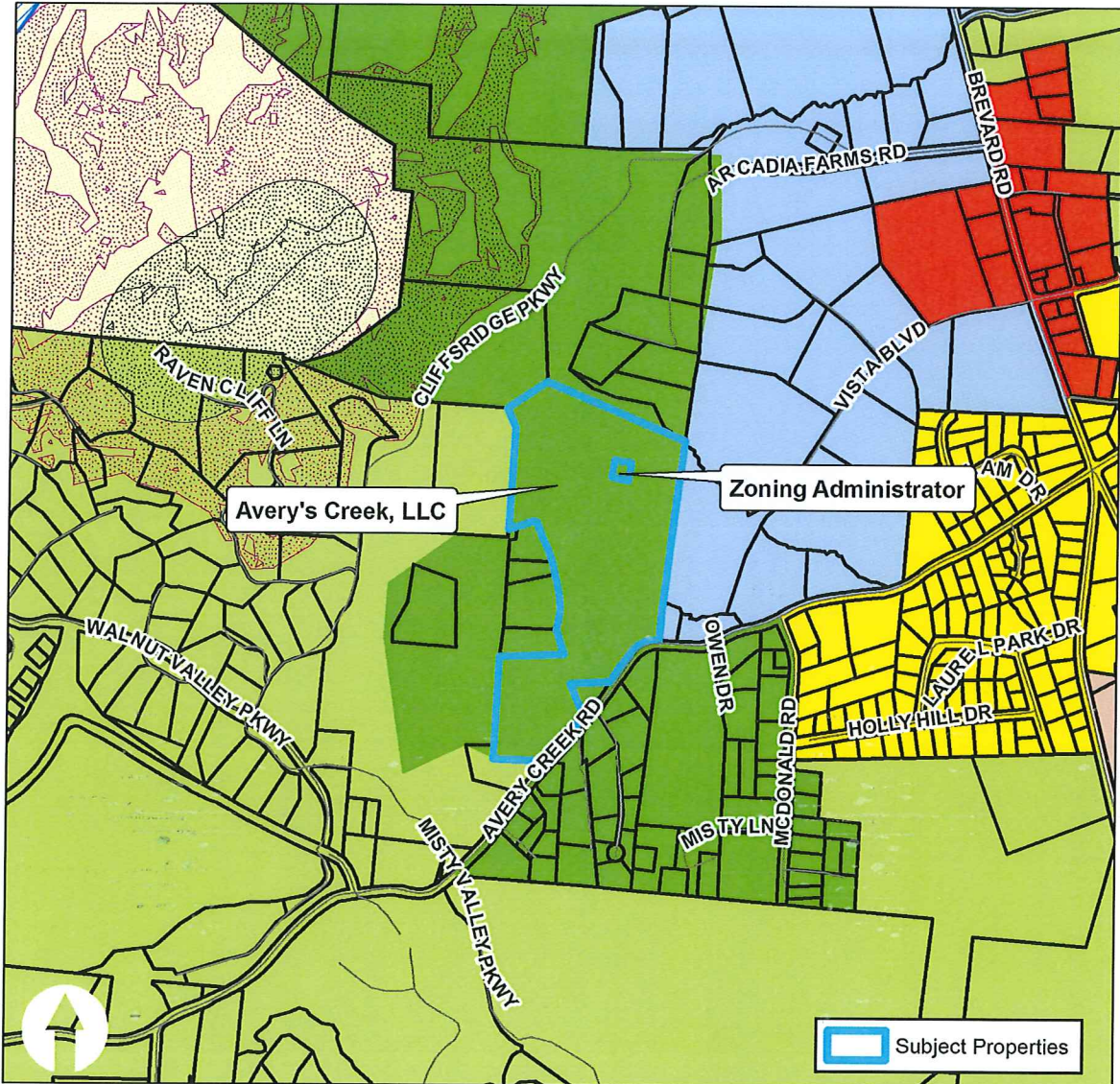
Bob Taylor

Debbie Truempy, Zoning Administrator

Approved as to form:

Curt Euler, Staff Attorney

Figure A



**Avery's Creek, LLC & Zoning Administrator
Map Amendment**

Case Number: ZPH2015-00008 & -00023
 Approximate Property Size: 34.47 acres
 Application Date: February 26 & May 1, 2015
 Planning Board Hearing Date: June 1, 2015
 Created By: Buncombe County Planning
 Date: May 11, 2015

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		