

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 John J. Landgrover and Brenda A. Landgrover, Trustees, of the Brenda Landgrover Revocable Trust requesting an amendment to The Official Zoning Map of Buncombe County on the parcels identified as follows and as shown in Figure A attached:

tax lot PIN 9742-47-8027 (44 Pickens Ln); and

tax lot PIN 9742-57-8371 (located in between 44 Pickens Ln and Dogwood Dr).

The Applicants are requesting that the zoning designation for these parcels, which are located adjacent to one another, be changed from Single Family Residential District R-1 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 deny this application and make recommendation to the Board of Commissioners for Buncombe County that the application be denied.

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 said application of John J. Landgrover and Brenda A. Landgrover, Trustees, of the Brenda Landgrover Revocable Trust:

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 multi-family residential development be located outside flood hazard areas and moderate and high slope stability hazards (the majority of the property does not contain these areas) and within reasonable proximity to infrastructure (combined water/sewer service area – the property has reasonable proximity to the Town of Weaverville’s water system, which is not mapped, as well as MSD lines), and furthermore suggests that single and multi-family residential development be located outside high elevations (2,500’+);

2. the subject property is not adjacent to Residential District R-2 and the R-2 District would be inconsistent with the surrounding single family residential property;
3. as the land use constraint map did not show the property within reasonable proximity to public water and sewer (the property is adjacent to both water and sewer access but the Town of Weaverville water lines are not mapped digitally and were unavailable during the Land Use Plan mapping process) it was unclear to the Board whether the subject property had both public sewer access and availability; and
4. therefore said zoning change is neither reasonable nor 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 for tax lot PINs 9742-47-8027 (44 Pickens Ln) and 9742-57-8371 (located in between 44 Pickens Ln and Dogwood Dr),

as shown in Figure A, to Residential District R-2.

Adopted by a vote of 7 to 2

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:


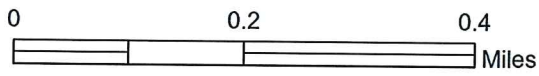
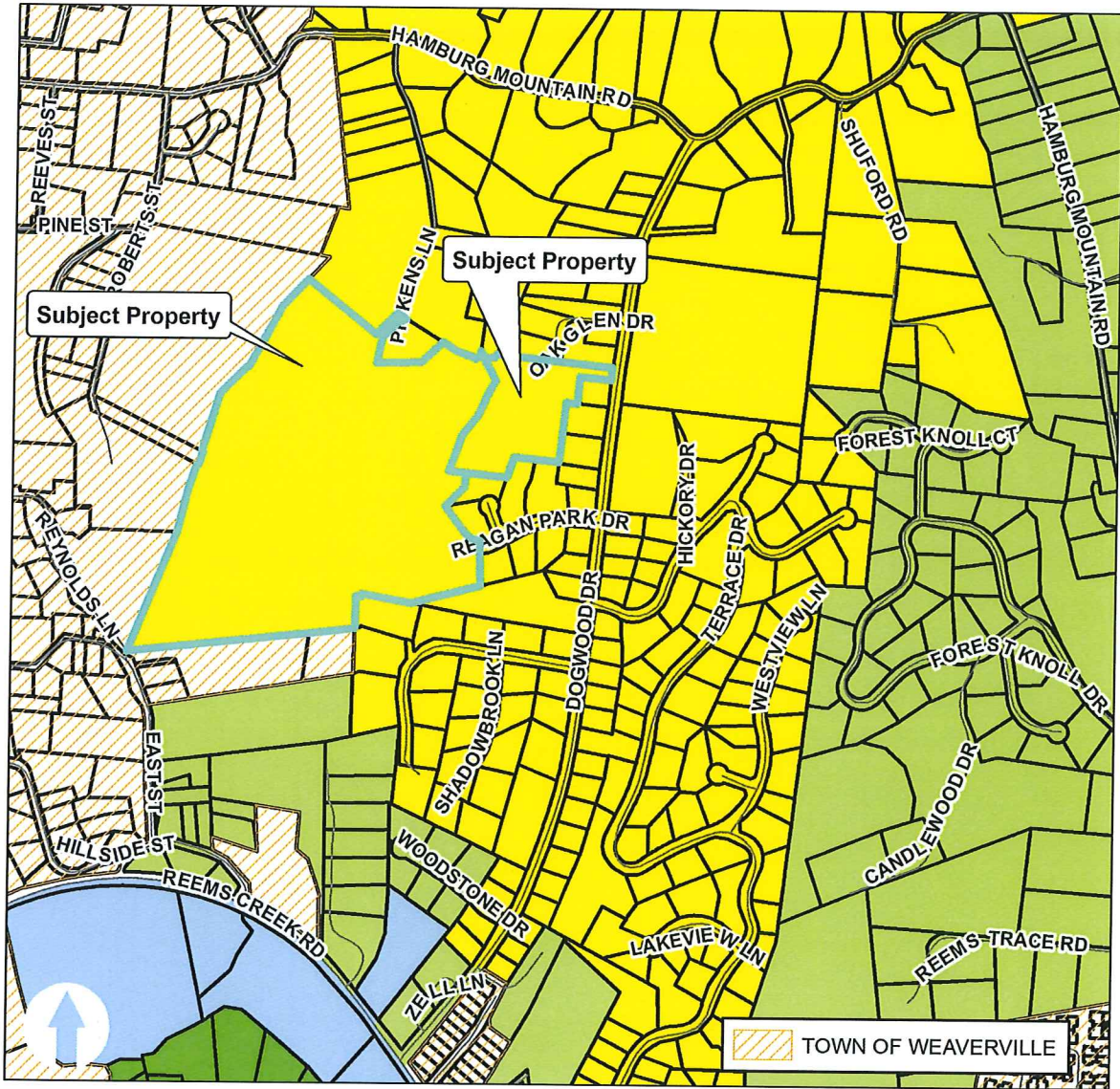

Curt Euler, Staff Attorney

Figure A



John J. & Brenda A. Landgrover Map Amendment

Case Number: ZPH2015-00022
 Approximate Property Size: 47.45 acres
 Application Date: May 1, 2015
 Planning Board Hearing Date: June 1, 2015

Created By: Buncombe County Planning
 Date: May 4, 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				