



# UHERKA ZONING MAP AMENDMENT

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*Presented by*

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Planning & Development Department



**BUNCOMBE COUNTY**



# Hearing Notification

- ✓ CASE NUMBER: ZPH2019-00022
- ✓ Notice in Asheville Citizen Times legal ad: 6/7/19 & 6/14/19
- ✓ Notice mailed to owners within 1,000 ft: 6/5/19
- ✓ Physical posting: 6/6/19
- ✓ Notice on BC Website: 6/5/19
- ✓ Public Hearing: 6/18/19/19

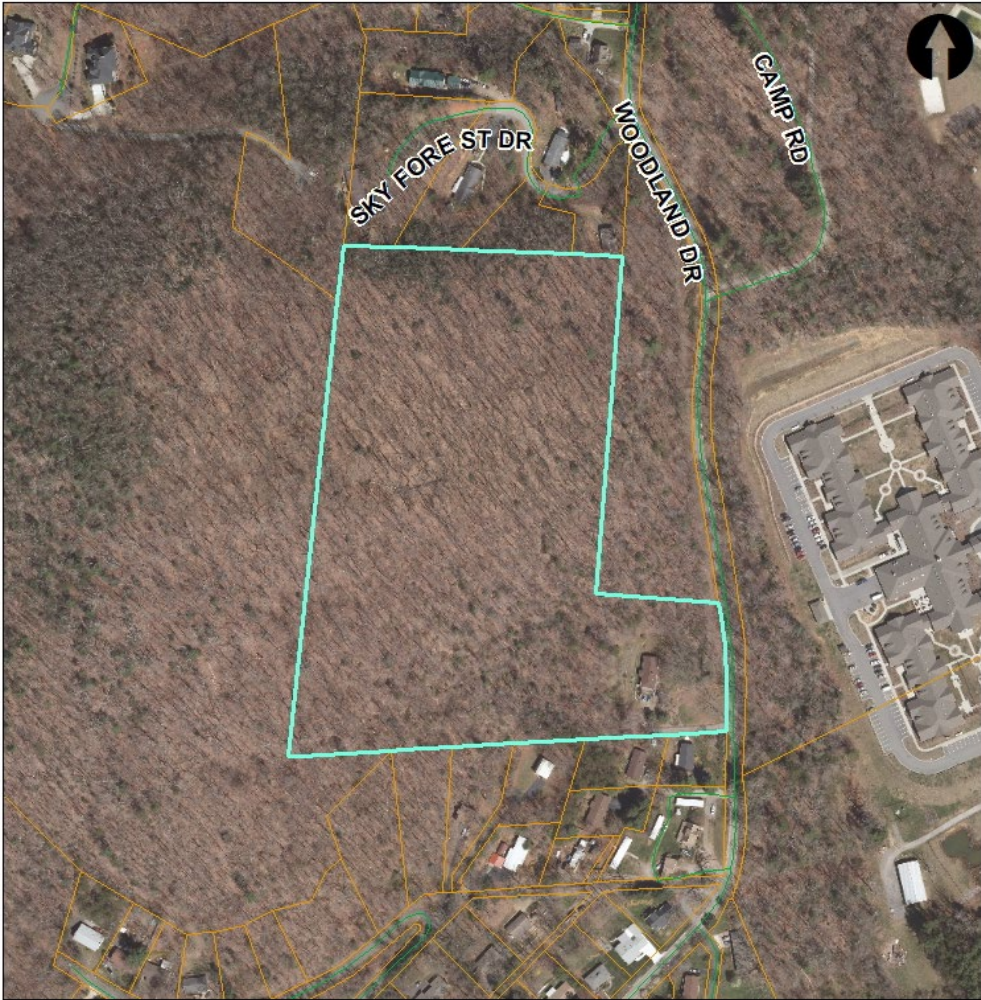


# Applicant Information

- ✓ Applicant: Robert & Laura Uherka / RuLu LLC
- ✓ Owner: Robert & Laura Uherka / RuLu LLC
- ✓ Address(es): 119 Woodland Dr., Swannanoa



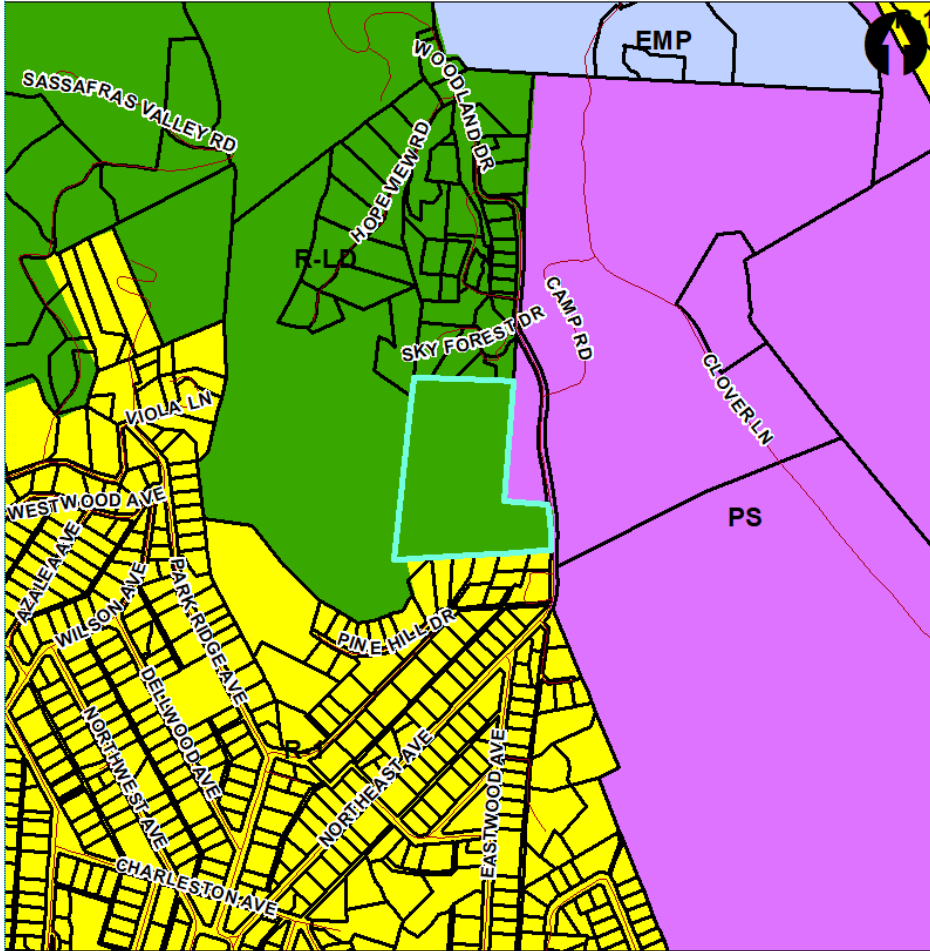
# Property Information



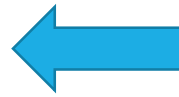
- ✓ 14.07 acres in size
- ✓ Vacant
- ✓ Maximum Elevation: 2630.00
- ✓ Percent Natural Slope: 36.86%
- ✓ Serviceable by public water & wastewater utilities



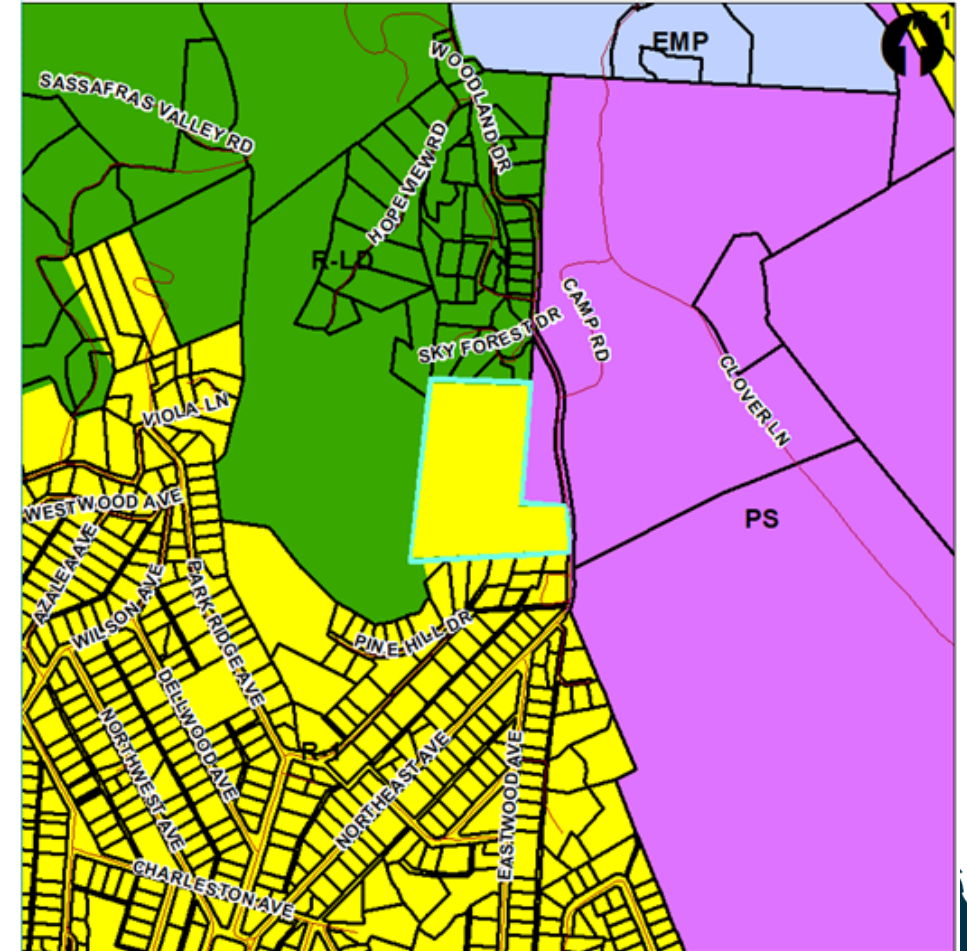
# Rezoning Information



Current Zoning:  
R-3 Residential



Proposed Zoning:  
Commercial Service





# Rezoning Information

## EXISTING ZONING DISTRICT:

### Residential Low Density (R-LD)

Low-Density Residential District (R-LD). The R-LD Low-Density Residential District is **primarily intended to provide locations for low-density residential and related-type development in areas where topographic or other constraints preclude intense urban development.** These areas are not likely to have public water and sewer services available, and the minimum required lot area will be one acre unless additional land area is required for adequate sewage disposal. **These are environmentally sensitive areas that are characterized by one or more of the following conditions: Steep slopes, fragile soils, or flooding.**

## PROPOSED ZONING DISTRICT:

### Residential District (R-1).

The R-1 Residential District is **primarily intended to provide locations for single-family and two-family residential development and supporting recreational, community service, and educational uses in areas where public water and sewer services are available** or will likely be provided in the future. This district is further intended to protect existing subdivisions from encroachment of incompatible land uses, and this district does not allow manufactured home parks.



# Land Use Plan Analysis

- ✓ **Does contain** steep slope areas greater than 25%
- ✓ **Is in an area** of high elevation greater than 2,500 feet
- ✓ **Does contains** high and moderate slope stability hazard areas
- ✓ **Is not** within a reasonable proximity to major transportation corridors

Proposed amendment **would be** detrimental to the owners, adjacent neighbors, and surrounding community as it **does not adhere** to Buncombe County Comprehensive Land Use Plan Update



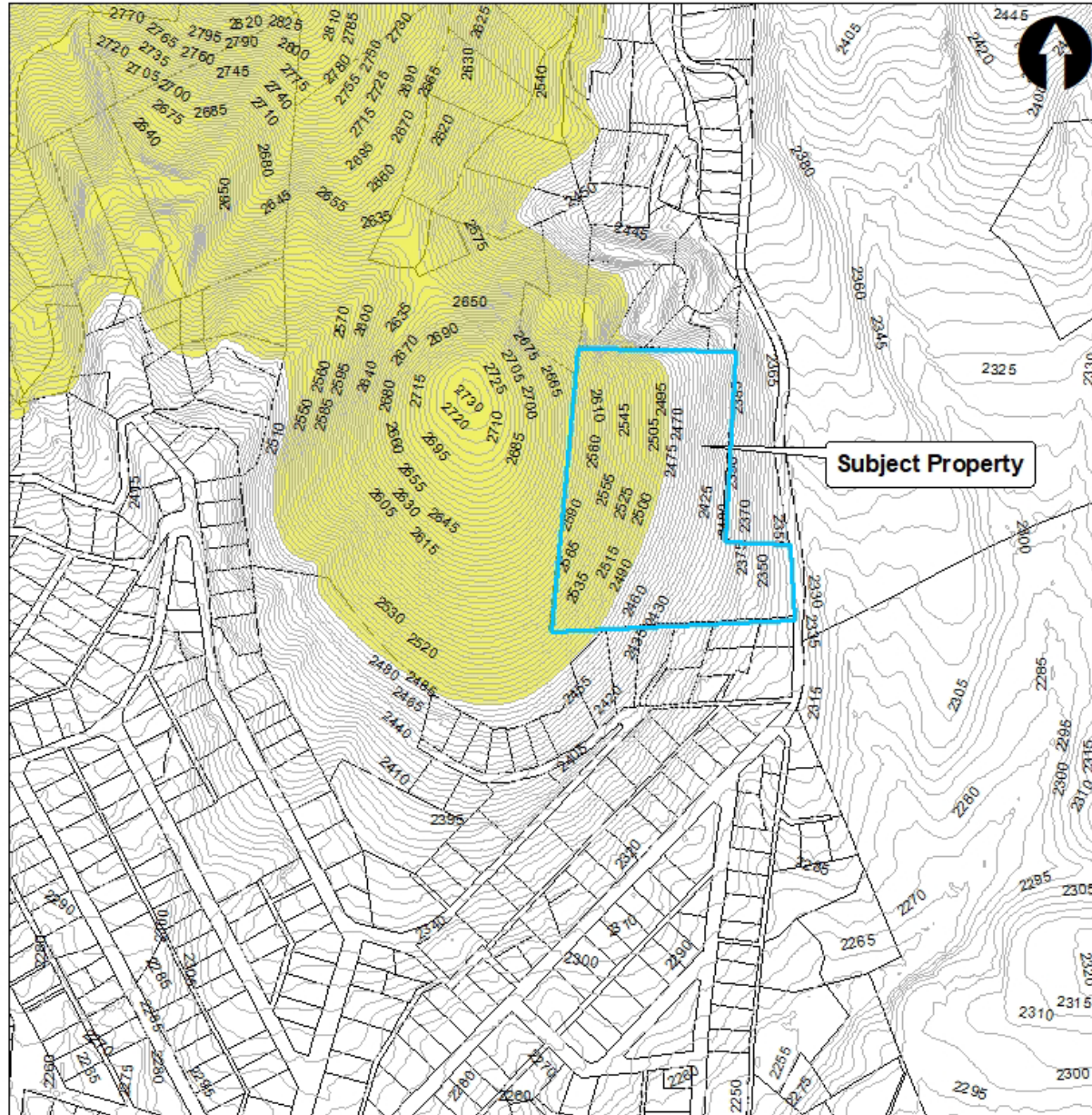
# Neighborhood Consistency

- ✓ In terms of land use types, single-family / duplex residential development would be consistent with neighborhood character of adjacent R-1 zoned area located south of property
- ✓ However, topography of property is steeper, & higher in elevation than much of existing R-1 zoned areas to south.
- ✓ In terms of density and lot sizes, R-1 zoning would be inconsistent with development patterns north & west of subject property, within the R-LD district in which property is currently located
- ✓ Rezoning would reduce minimum lot size from 1 acre to 30,000 square feet for septic, or as low as 8,000 square feet for lots on public water & sewer

	Existing District:	Proposed District:
	R-LD Residential	R-1 Residential
Minimum Lot Size	43,560 SF	8,000 SF (Public water/sewer) 30,000 SF (Septic system)
Max dwelling units per acre	2	10
Setbacks (Front/Side/Rear)	10/10/20	10/7/15 (Water/sewer) 20/10/10 (Septic)
Max height	35 feet	35 feet







0 0.05 0.1 0.2 Miles

— 5 Foot Contours

Greater than 2500'

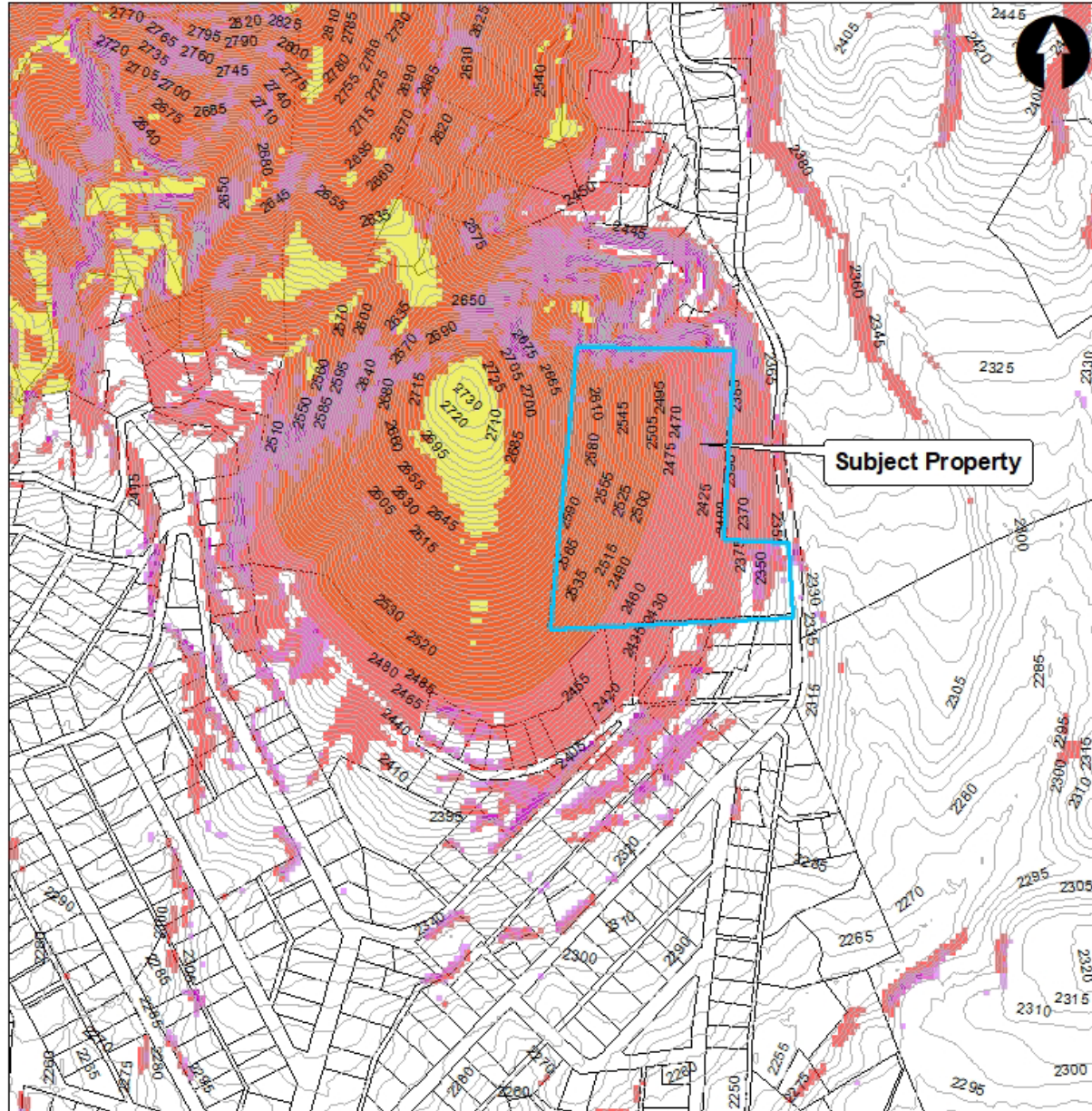
Property Boundaries



BUNCOMBE COUNTY







Subject Property

— 5 Foot Contours

High Hazard

Moderate Hazard

Low Hazard

0 - 25 % Slope

Greater than 25% Slope

Greater than 2500'

Property Boundaries

0 0.05 0.1 0.2 Miles



BUNCOMBE COUNTY



# Recommendations

- ✓ Planning Board recommends denial as submitted

- ✓ 6/1 vote, 5/20/19

- ✓ Staff recommends denial as submitted

