



# UHERKA ZONING MAP AMENDMENT

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*Presented by*

Joshua S. Freeman, AICP, CFM

Planning & Development Department



# Hearing Notification

- ✓ CASE NUMBER: ZPH2019-00022
- ✓ Notice in Asheville Citizen Times legal ad: 7/26/19 & 8/2/19
- ✓ Notice mailed to owners within 1,000 ft: 7/24/19
- ✓ Physical posting: 7/26/19
- ✓ Notice on BC Website: 7/24/19
- ✓ Public Hearing: 8/6/19

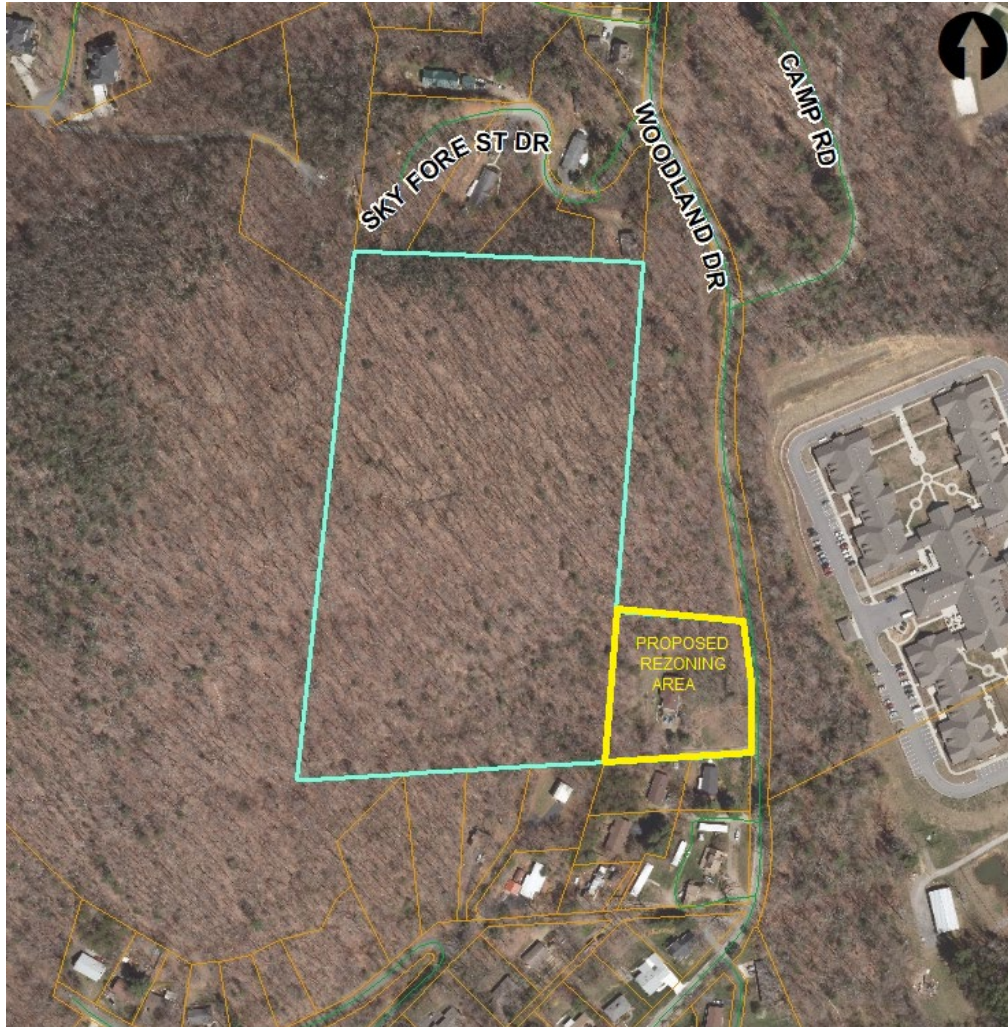


# Applicant Information

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



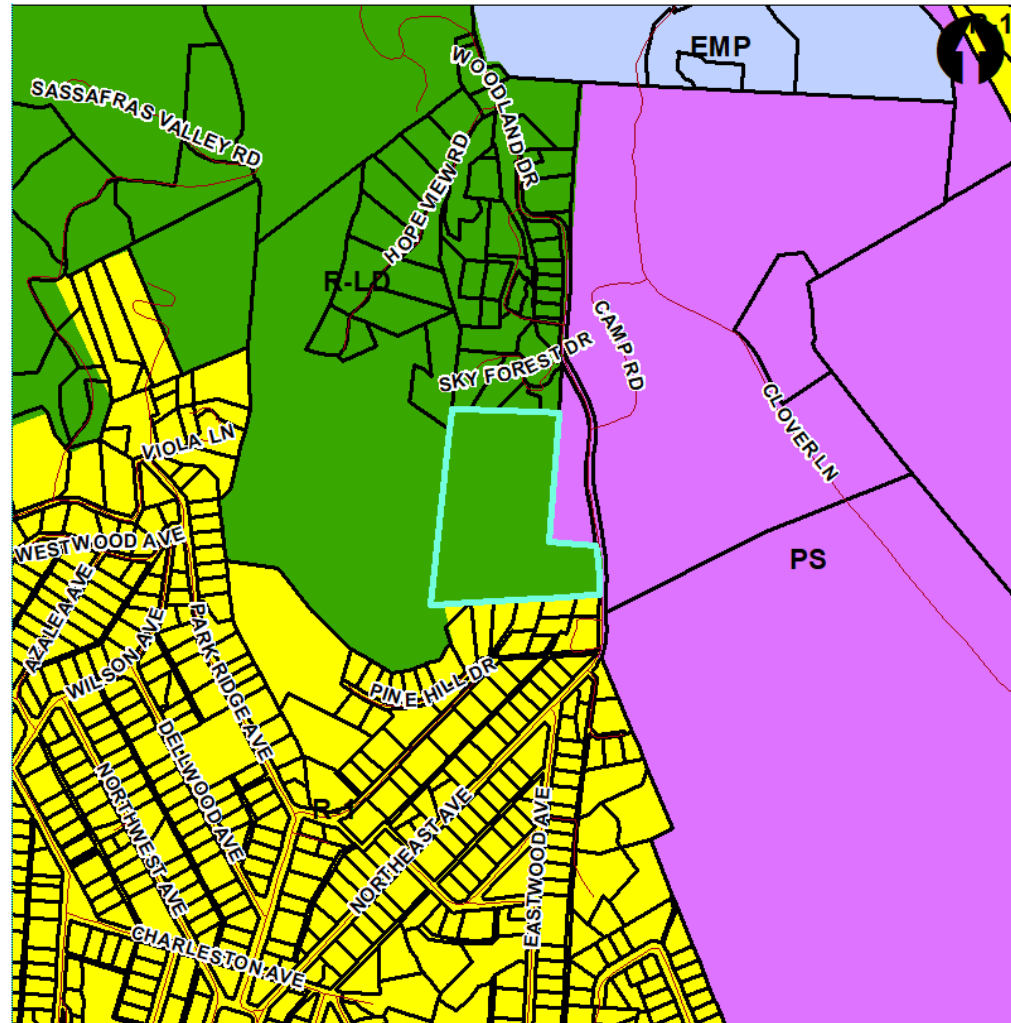
# Property Information



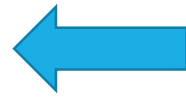
- ✓ Subject parcel 14.07 acres in size
- ✓ Rezoning area 1.7 acres in size
- ✓ One existing single family home
- ✓ Maximum Elevation: 2419' above sea level
- ✓ Serviceable by public water & wastewater utilities



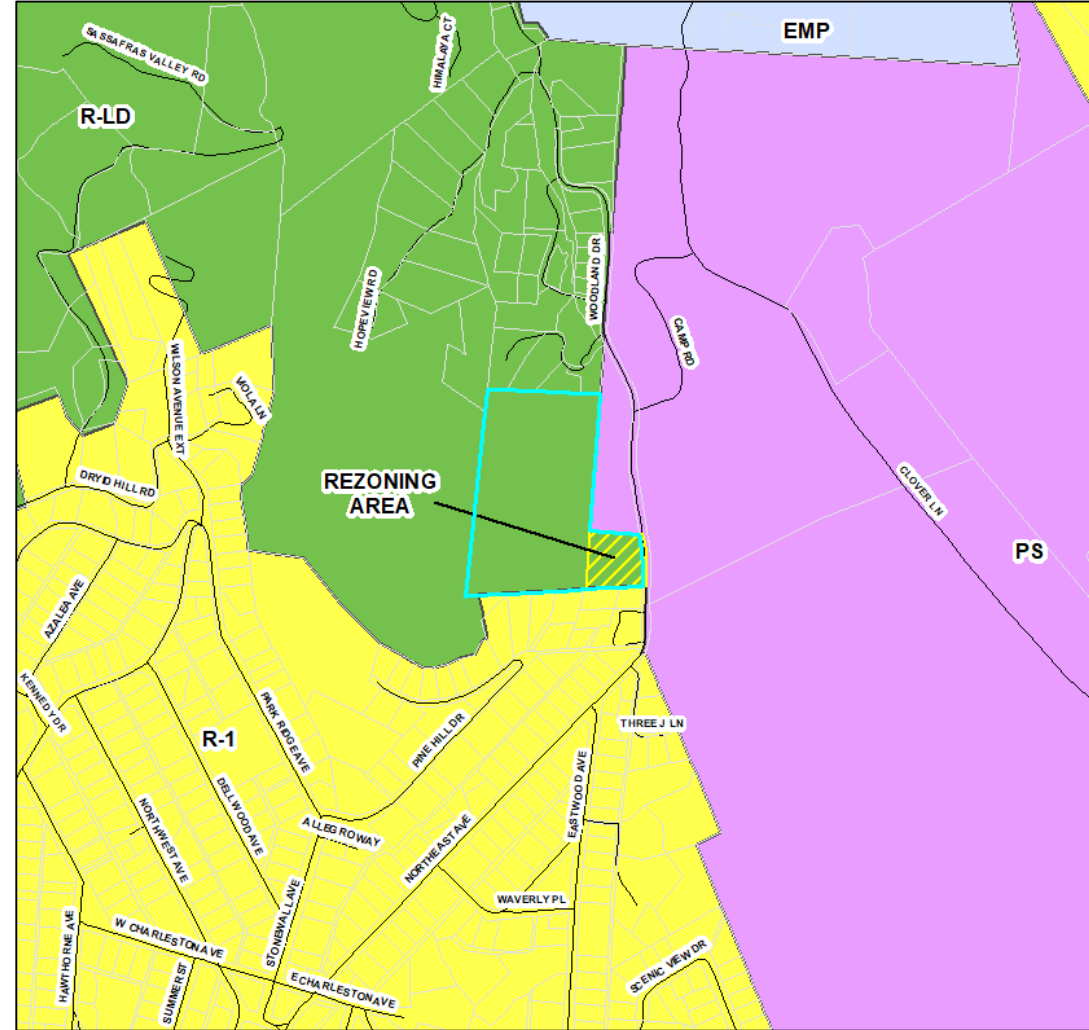
# Rezoning Information



Current Zoning:  
R-LD Residential



Proposed Zoning:  
R-1 Residential



# 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.

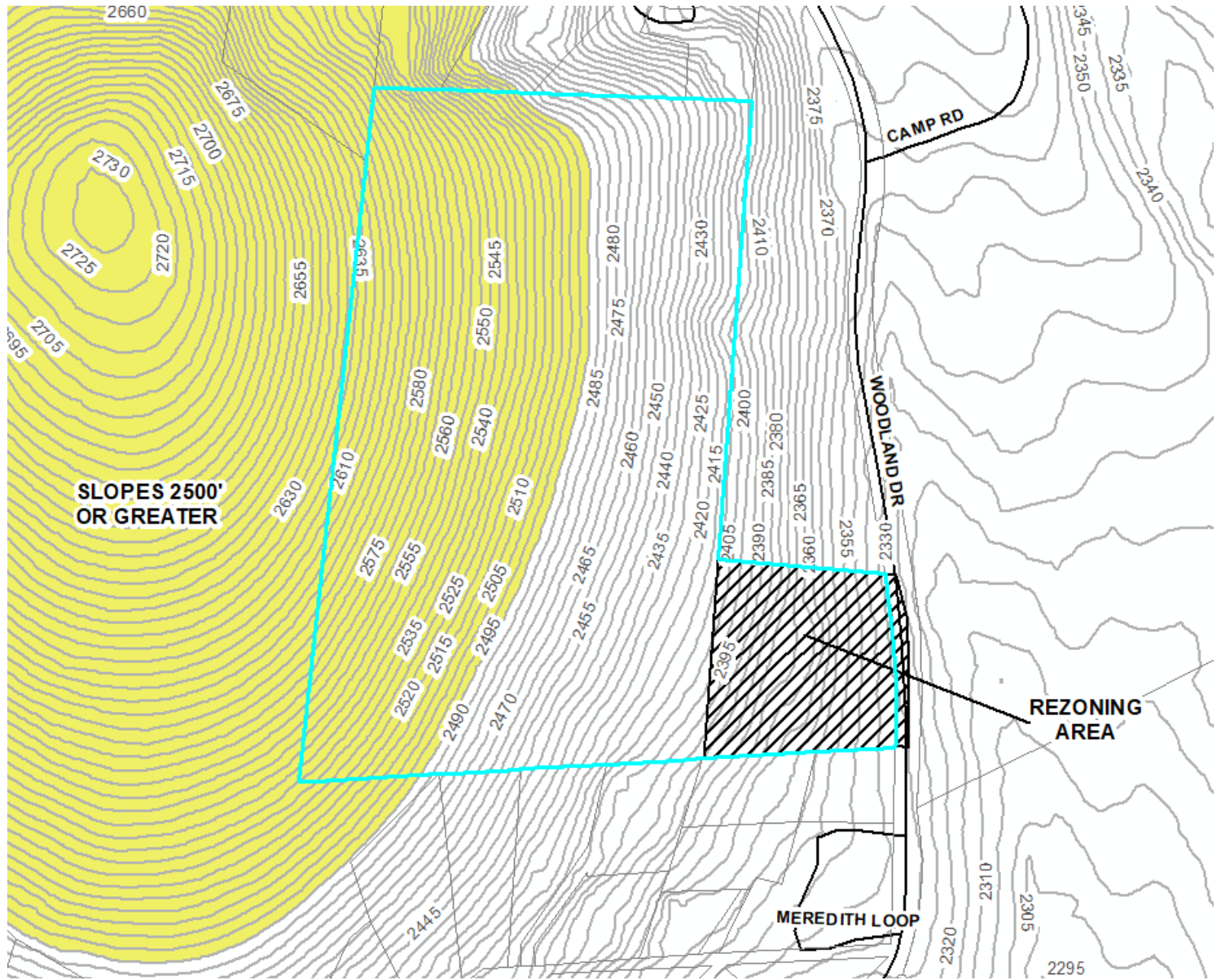


# Neighborhood Consistency


- ✓ 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
<b>Minimum Lot Size</b>	43,560 SF	8,000 SF (Public water/sewer) 30,000 SF (Septic system)
<b>Max dwelling units per acre</b>	2	10
<b>Setbacks (Front/Side/Rear)</b>	10/10/20	10/7/15 (Water/sewer) 20/10/10 (Septic)
<b>Max height</b>	35 feet	35 feet





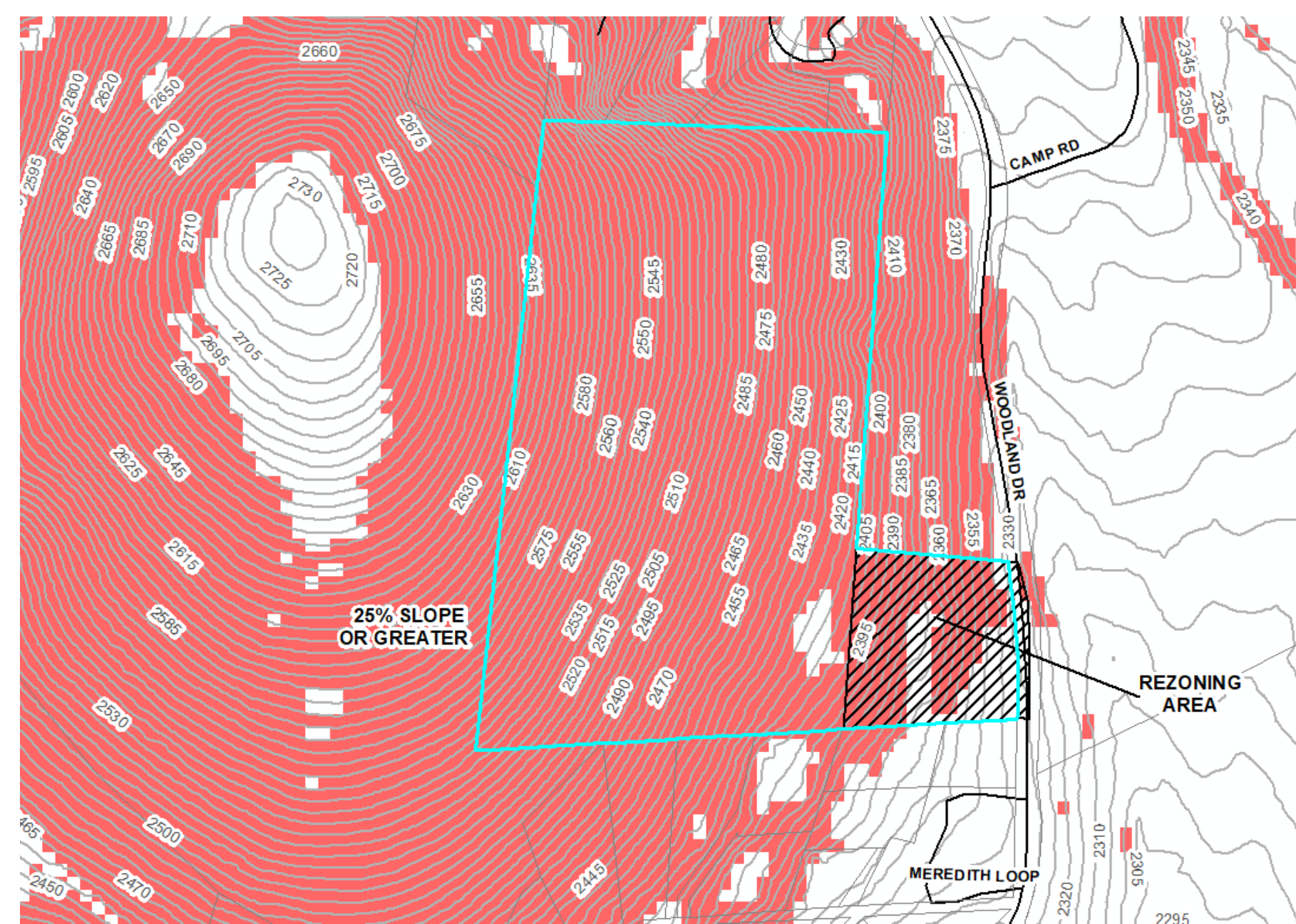
— 5 Foot Contours



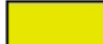

 Greater than 2500'

 Property Boundaries

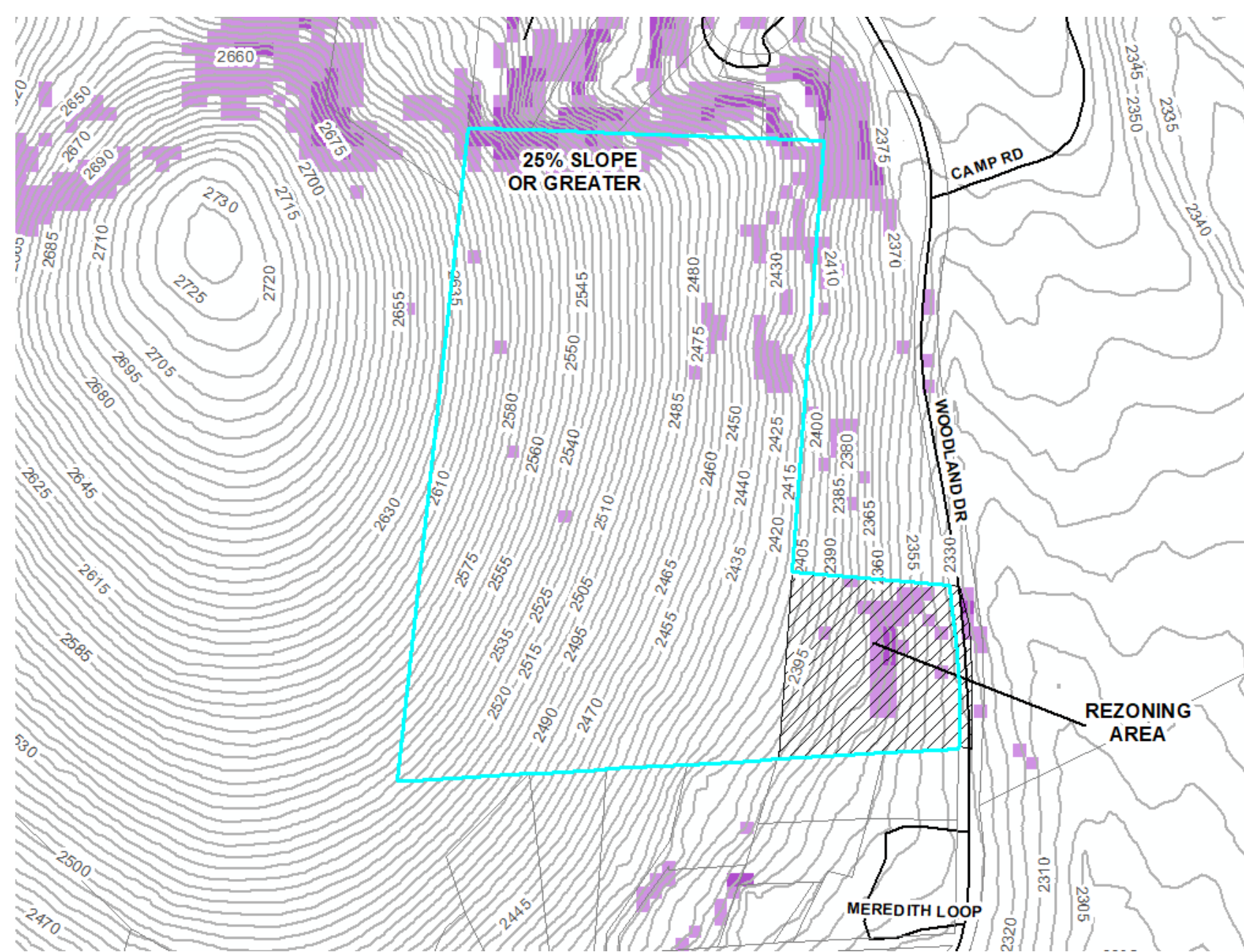






-  5 Foot Contours
-  0 - 25 % Slope
-  Greater than 2500'
-  Property Boundaries





- 5 Foot Contours
- High Hazard
- Moderate Hazard
- Low Hazard
- Property Boundaries



# Land Use Plan Analysis

- ✓ **Is not** within reasonable proximity to a major transportation corridor
- ✓ **Is** within reasonable proximity to infrastructure
- ✓ **Is within** an area of steep slope (25% +)
- ✓ **Is not in an area** of high elevation greater than 2,500 feet
- ✓ **Does contain** high and moderate slope stability hazard areas
- ✓ **Is outside** a flood hazard area

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



# Recommendations

✓ Planning Board  
recommends denial as  
submitted

✓ 6/1 vote, 5/20/19

✓ 5/0 vote, 7/15/19

✓ Staff recommends approval  
as submitted (revised)

